

Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- x
IN REM TAX FORECLOSURE ACTION NO. 46

BOROUGH OF MANHATTAN

SECTIONS 3, 6, 7 AND 8

Index No. 580001/2004

TAX CLASSES 1 AND 2
----- x

Filing Date: January 9, 2004

Last Day to Redeem: April 9, 2004

Last Day to File Answer: April 29, 2004

INTEREST RATES

1937 AND SUBSEQUENT TAXES – 7% PER ANNUM FROM MAY 1, 1937; OR

ON IMPROVED PROPERTY WHERE THE ANNUAL TAX IS MORE THAN \$2000.00 AND ON UNIMPROVED PROPERTY REGARDLESS OF THE AMOUNT OF ANNUAL TAX:

7% PER ANNUM FROM MAY 1, 1937 THROUGH JULY 31, 1969;
AND 1% PER MONTH FROM AUGUST 1, 1969 THROUGH DECEMBER 31, 1976;
AND 15% PER ANNUM FROM JANUARY 1, 1977 THROUGH JUNE 30, 1979;
AND 18% PER ANNUM ON PROPERTY WHERE THE ANNUAL TAX IS MORE THAN \$2750.00
AND ON UNIMPROVED PROPERTY REGARDLESS OF THE AMOUNT OF ANNUAL TAX -
FROM JULY 1, 1979 THROUGH JUNE 30, 1981;
AND 25.5% PER ANNUM FROM JULY 1, 1981 THROUGH JUNE 30, 1982;
AND 23% PER ANNUM FROM JULY 1, 1982 THROUGH JUN 30, 1983;
AND 16.5% PER ANNUM FROM JULY 1, 1983 THROUGH JUNE 30, 1984;
AND 18.5% PER ANNUM FROM JULY 1, 1984 THROUGH JUNE 30, 1985;
AND 16% PER ANNUM FROM JULY 1, 1985;
AND 15% PER ANNUM FROM JULY 1, 1987;
AND 15.5% PER ANNUM FROM JULY 1, 1988;
AND 19% PER ANNUM FROM JULY 1, 1989;
AND 19% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1990;
AND 18% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1991.

NOTE: INTEREST ON ARREARS ON IMPROVED PROPERTY WHERE THE ANNUAL TAX IS \$2750.00 OR LESS BUT MORE THAN \$2000.00 WILL BE CALCULATED AT A RATE OF:

7% PER ANNUM FROM MAY 1, 1937 THROUGH JULY 31, 1969;
1% PER MONTH FROM AUGUST 1, 1969 THROUGH DECEMBER 31, 1976;
15% PER ANNUM FROM JANUARY 1, 1977 THROUGH JUNE 30, 1979;
7% PER ANNUM FROM JULY 1, 1979;
10% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1990;
9% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1991

BEGINNING JULY 1, 1990, THE HIGHER REAL PROPERTY TAX INTEREST RATE APPLIES TO ANY PROPERTY FOR WHICH TAXES ARE PAID FROM AN ESCROW ACCOUNT BY A MORTGAGE ESCROW AGENT.

INTEREST IS CALCULATED FROM THE FOLLOWING DATES TO THE DATE PAID:

REAL ESTATE TAX

1937 AND 1938 TAXES:	1 ST HALF-APRIL 1	2 ND HALF-OCTOBER 1
1939 (FIRST 6 MONTHS):	APRIL 1	
1939/40 TO 1967/68: (FISCAL YEAR JULY 1 TO JUNE 30)		
	1 ST HALF-OCTOBER 1	2 ND HALF-APRIL 1
1968/69 (QUARTERLY BEGINS 1/1/69)		
	1 ST HALF- OCTOBER 1	
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1
1969/70 TO 1977/78:	1 ST QTR - AUGUST 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1
1978/79 TO 1981/82:	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

FOR PROPERTIES WITH ASSESSED VALUATION OF MORE THAN \$30,000 (MORE THAN \$40,000 BEGINNING IN 1986/87):

1982/83:	1 ST QTR - JULY 1	2 ND QTR - SEPTEMBER 1
	2 ND HALF - JANUARY 1	
1983/84 TO 1985/86:	1 ST HALF - JULY 1	2 ND HALF - JANUARY 1

FOR PROPERTIES WITH ASSESSED VALUATION OF \$30,000 OR LESS (\$40,000 OR LESS BEGINNING IN 1986/87):

1982/83 TO 1985/86	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

FOR TAX CLASS 1 AND CLASS 2 PROPERTIES WITH ASSESSED VALUATION OF LESS THAN OR EQUAL TO \$80,000 AND CLASS 3 AND CLASS 4 PROPERTIES WITH ASSESSED VALUATION OF LESS THAN OR EQUAL TO \$40,000:

BEGINNING IN 1998/99	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

SIMILARLY, FOR COOPERATIVE BUILDINGS, IF THE ASSESSED VALUATION DIVIDED BY THE NUMBER OF DWELLING UNITS IS LESS THAN OR EQUAL TO \$80,000, PAYMENTS SHOULD BE MADE IN QUARTERLY INSTALLMENTS. ALL OTHER PROPERTIES PAY IN SEMI-ANNUAL INSTALLMENTS.

OTHER CHARGES - THE DATE OF ENTRY

Frontage	11-312(a)	415(1)-17	7% if due on or before 6/30/76 15% if due on or after 6/30/77 15% beginning 1/1/77 through 6/30/78 From 7/1/79 see Note below
Metered Water	11-312(b)	415(1)-17	7% if due on or before 12/31/76 15% if due on or after 1/1/77 15% beginning 1/1/77 through 6/30/79 From 7/1/79 see Note below
Sewer (unmetered)	11-313(b)	415(1)-17	7% if due on or before 6/30/76 7% for such charges through 12/31/76 15% for such charges beginning 1/1/77 15% if due on or after 6/30/77 From 7/1/79 see Note below
Sewer (metered)	11-313(b)	415(1)-17	7% if due on or before 12/31/76 7% for such charges through 12/31/76 15% for such charges beginning 1/1/77 15% if due on or after 1/1/77 From 7/1/79 see Note below
Sewer surcharge	11-313	683a4-9.0	Use rate applicable to sewer charge
Sidewalk	19-152(i)	693-6.0	Prior to 2/3/85: Real Estate Tax Rate From 2/3/85 until 12/28/93: Real Estate Tax Rate unless such rate is 7%; If rate is 7%, then lower of 8.5% or cost of City's debt service Beginning 12/28/93: Real Estate Tax Rate Unless annual tax is no greater than \$2,750, then lower of 8.5% or cost of debt service
Sewer Connection	24-512(b)	683a4-7.2	7%
Emergency Repair	27-2144(d)	D26-57.03	7%
Pest Control	17-151(d)	564-24.0	15% beginning 12/29/78 through 6/30/79 From 7/1/79, the HIGH Real Estate Tax rate
Canopy Repair	19-124(i)	692F-6.0(i)(1)	7% until 1/27/94 Real Estate Tax Rate beginning 1/27/94

Note:

For Frontage, Metered Water, Sewer (unmetered) and Sewer (metered), the City Council set the interest rates by resolution beginning 7/1/79. From 7/1/79 through 6/30/90 the HIGH real estate tax interest rate was applied to water/sewer charges. From 7/1/90 through 6/30/95, the Water Board split the rate so that the interest rate applicable to real property tax on a property was applied to water/sewer charges on the property. Beginning 7/1/95, the Water Board determined that the LOW real property tax interest rate would be applied to all properties.

12/14/2003

12/14/03
REPT NO. F6R0051CITY OF NEW YORK
DEPARTMENT OF FINANCE
FAIRTAXPAGE
1,14.45 96LIST OF DELINQUENT TAXES
TITLE 11 CHAPTER 4 ADMINISTRATIVE CODE OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

CASE ID : 009068837 S BORO-BLOCK-LOT : BBL 1-02058-0029/0 PARCEL OWNER : 477 W 142 ST H D F C
 ACTION NUMBER : 0046 SECTION : 007 PARCEL LOCATION : 477 WEST 142 STREET
 BOROUGH : MANHATTAN BUILDING CLASS : C6 WALK UP APT_COOPERATIVES
 FILING DATE : 01/09/2004

ACCT TYPE	ACCT DESC	ACCOUNT ID	PERIOD BEGIN DATE	PERIOD END DATE	DUE DATE	OUTSTANDING BALANCE
0267	MTWS	00151	11/02/1992	11/02/1992	11/02/1992	1,449.17
0267	MTWS	00151	01/25/1993	01/25/1993	01/25/1993	4,840.02
0267	MTWS	00151	05/24/1993	05/24/1993	05/24/1993	6,542.61
0015	SIGN	40000	05/28/1993	05/28/1993	05/28/1993	483.20
0282	RS	776601	04/01/1992	03/31/1993	06/01/1993	367.07
0267	MTWS	00151	08/09/1993	08/09/1993	08/09/1993	3,057.57
0267	MTWS	00151	12/20/1993	12/20/1993	12/20/1993	5,742.68
0270	REAL		01/01/1994	06/30/1994	01/01/1994	7,361.22
0267	MTWS	00151	04/04/1994	04/04/1994	04/04/1994	3,105.33
0267	MTWS	00151	05/09/1994	05/09/1994	05/09/1994	2,628.70
0267	MTWS	00151	05/28/1994	05/28/1994	05/28/1994	415.91
0270	REAL		09/19/1994	09/19/1994	09/19/1994	4,964.76
0282	RS	776601	10/01/1994	12/31/1994	10/01/1994	8,226.06
0267	MTWS	00151	04/01/1993	03/31/1994	11/04/1994	262.29
0270	REAL		11/21/1994	11/21/1994	11/21/1994	1,816.46
0267	MTWS	00151	01/01/1995	03/31/1995	01/01/1995	7,524.46
0230	REPR	00151	01/23/1995	01/23/1995	01/23/1995	1,702.66
0270	REAL		02/28/1995	02/28/1995	02/28/1995	1,725.85
0270	REAL		04/01/1995	06/30/1995	04/01/1995	7,197.88
0015	SIGN	40000	04/28/1995	04/28/1995	04/28/1995	362.43
0270	REAL		07/01/1995	09/30/1995	07/01/1995	7,453.59
0230	REPR		10/01/1995	12/31/1995	10/01/1995	7,123.06
0270	REAL		05/31/1995	05/31/1995	10/28/1995	590.20
0230	REPR		04/30/1995	04/30/1995	10/28/1995	3,468.10
0270	REAL		01/01/1996	03/31/1996	01/01/1996	6,807.19
0270	REAL		04/01/1996	06/30/1996	04/01/1996	6,508.53
0015	SIGN	41994	01/01/1997	01/01/1997	05/28/1996	308.01
0270	REAL		07/01/1996	09/30/1996	07/01/1996	6,441.86
0270	REAL		10/01/1996	12/31/1996	10/01/1996	6,156.20
0270	REAL		01/01/1997	03/31/1997	01/01/1997	6,154.29
0015	SIGN	41939	04/01/1997	06/30/1997	04/01/1997	5,887.18
0270	REAL		07/01/1997	09/30/1997	07/01/1997	265.11
0270	REAL		10/01/1997	12/31/1997	10/01/1997	5,776.47
0270	REAL		01/01/1998	03/31/1998	01/01/1998	5,520.31
0270	REAL		04/01/1998	06/30/1998	04/01/1998	5,265.99
0015	SIGN	40001	07/01/1998	06/30/1999	05/28/1998	5,037.43
0270	REAL		07/01/1998	09/30/1998	07/01/1998	228.19
0270	REAL					4,863.37

REPT NO. F6R0051

 CITY OF NEW YORK
 DEPARTMENT OF FINANCE
 FAIRTAX

 PAGE
 1.14.45

 LIST OF DELINQUENT TAXES
 TITLE 11 CHAPTER 4 ADMINISTRATIVE CODE OF THE CITY OF NEW YORK
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 FILING DATE : 01/09/2004

ACCT TYPE	ACCT DESC	ACCOUNT ID	PERIOD BEGIN DATE	PERIOD END DATE	DUE DATE	OUTSTANDING BALANCE
0270	REAL		10/01/1998	12/31/1998	10/01/1998	4,647.70
0270	REAL		01/01/1999	03/31/1999	01/01/1999	4,194.73
0270	REAL		04/01/1999	06/30/1999	04/01/1999	4,012.66
0015	SIGN	40001	07/01/1999	06/30/2000	05/28/1999	196.41
0270	REAL		07/01/1999	09/30/1999	07/01/1999	3,982.63
0270	REAL		10/01/1999	12/31/1999	10/01/1999	3,806.01
0270	REAL		01/01/2000	03/31/2000	01/01/2000	3,713.09
0015	SIGN	40001	04/01/2000	06/30/2000	04/01/2000	3,550.18
0270	REAL		07/01/2000	06/30/2001	04/28/2000	171.09
0270	REAL		07/01/2000	09/30/2000	07/01/2000	3,549.16
0270	REAL		10/01/2000	12/31/2000	10/01/2000	3,391.77
0270	REAL		01/01/2001	03/31/2001	01/01/2001	3,238.98
0015	SIGN	40001	04/01/2001	06/30/2001	04/01/2001	3,098.40
0270	REAL		07/01/2001	06/30/2002	05/28/2001	145.46
0270	REAL		10/01/2001	12/31/2001	10/01/2001	2,223.66
0015	SIGN	40001	01/01/2002	03/31/2002	01/01/2002	2,834.12
0270	REAL		07/01/2002	06/30/2003	03/28/2002	128.38
0015	SIGN	40001	04/01/2002	06/30/2002	04/01/2002	2,711.12
0270	REAL		07/01/2002	09/30/2002	07/01/2002	2,740.39
0060	WTLN		08/09/2002	08/09/2002	08/09/2002	82,742.64
0270	REAL		10/01/2002	12/31/2002	10/01/2002	2,618.87
0270	REAL		01/01/2003	03/31/2003	01/01/2003	2,849.90
0015	SIGN	40001	04/01/2003	06/30/2003	04/01/2003	2,726.20
0270	REAL		07/01/2003	06/30/2004	04/28/2003	109.10
0270	REAL		07/01/2003	09/30/2003	07/01/2003	2,738.71
0270	REAL		10/01/2003	12/31/2003	10/01/2003	2,617.26

TOTAL OUTSTANDING BALANCE : 302,370.03

Exhibit B

09/21/06 13:18 NYC DOF FAIRTAX : DISTRIBUTION LIST RCI0001 F802 F8M0040

BBL : 1-02058-0029/0 LOCATION : 477 WEST 142 STREET NEW YORK
 NOTICE NUMBER : 0748675040113 NOTICE ID : 00092301 FORECLOSURE NOTICE
 NOTICE STATUS : SENT CASE ID : 009068837 S COPY INSERTS : N
 ACCOUNT TYPE : PROP ACCOUNT ID :
 GENERIC NOTICE: N GENERIC NOTICE ID :
 SEND RELA CASE ADDR ACCT ACCOUNT MAIL DATE S
 RECIPIENT NAME ORIG NOTC TYPE RELA TYPE TYPE ID RTRN EFFECT U

1 477 W 142 ST H D F C	Y	Y	041	062	PROP		05/30/01
2 EDWARD A ELLERBE	N	Y	045	062	MTWS	00523	Y 08/14/75
3 HARTS PHARMACY	N	Y	045	062	SIGN	41994	Y 05/10/96
4 S SIEGEL	N	Y	045	062	MTWS	03315	Y 09/22/66
5 MANUFACTURERS HAN TR	N	Y	048	062			Y 07/12/74
6 NORTH & SOUTH	N	Y	056	062			Y 04/23/95

SOURCE OF INFO : 202 BF6P010 LAST UPDATE BY : BF8P002
 UPDATE REASON : 999 NOTICE UPDATE DATE/TIME : 01/16/2004 05:2

01-HELP 03-END 06-SUSPEND 09-CANCEL 16-TOGGLE 22-PRIOR

NEXT FUNCTION : DATA :

[Back to NYC Serv](#) *The Official New York City Web Site*

Property Tax | View Items

Profile

Name:	477 W 142 ST H D F C	Mailing Address:	477 W 142ND ST APT 1 NEW YORK, NY 10031-6239
Planned Payment Date:	09/21/2006	BBL:	1-02058-0029/0

Search Criteria





















From Date:		Account Year:	
To Date:	09/21/2006	Account Type:	













































To display additional details for the item, click  in the Details column. (A new window will open.)






















Charges as of Thursday, Sep. 21, 2006 01:30 PM

☐ Check this box to select or deselect all items

1	Environment-Meter/Sewer 1-02058-0029/0	00151	11/02/1992		2,116.77	\$ 0.00	
2	Environment-Meter/Sewer 1-02058-0029/0	00151	01/25/1993		7,069.73	\$ 0.00	
3	Environment-Meter/Sewer 1-02058-0029/0	00151	05/24/1993		9,556.68	\$ 0.00	
4	Buildings-Illuminated Signs 1-02058-0029/0	40000	05/28/1993		675.17	\$ 0.00	
5	Housing-Rent Stabilization 1-02058-0029/0	776601	04/01/1992		536.17	\$ 0.00	
6	Environment-Meter/Sewer 1-02058-0029/0	00151	08/09/1993		4,466.14	\$ 0.00	
7	Environment-Meter/Sewer 1-02058-0029/0	00151	12/20/1993		8,388.24	\$ 0.00	
8	Finance-Property Tax 1-02058-0029/0		01/01/1994		10,752.41	\$ 0.00	
9	Environment-Meter/Sewer 1-02058-0029/0	00151	04/04/1994		4,535.90	\$ 0.00	
10	Environment-Meter/Sewer 1-02058-0029/0	00151	05/09/1994		3,839.69	\$ 0.00	
11	Buildings-Illuminated Signs 1-02058-0029/0	40000	05/28/1994		581.14	\$ 0.00	
12	Environment-Meter/Sewer 1-02058-0029/0	00151	09/19/1994		7,251.93	\$ 0.00	
13	Finance-Property Tax 1-02058-0029/0		10/01/1994		12,015.66	\$ 0.00	
14	Housing-Rent Stabilization 1-02058-0029/0	776601	04/01/1993		383.12	\$ 0.00	
15	Environment-Meter/Sewer 1-02058-0029/0	00151	11/21/1994		2,653.27	\$ 0.00	
16	Finance-Property Tax 1-02058-0029/0		01/01/1995		10,990.84	\$ 0.00	
17	Environment-Meter/Sewer 1-02058-0029/0	00151	01/23/1995		2,487.04	\$ 0.00	
18	Housing-Emergency Repair OLD 1-02058-0029/0		02/28/1995		2,089.45	\$ 0.00	
19	Finance-Property Tax 1-02058-0029/0		04/01/1995		10,513.81	\$ 0.00	
20	Buildings-Illuminated Signs 1-02058-0029/0	40000	04/28/1995		506.42	\$ 0.00	

21	Finance-Property Tax 1-02058-0029/0	07/01/1995		10,887.33	\$ 0.00
22	Finance-Property Tax 1-02058-0029/0	10/01/1995		10,404.53	\$ 0.00
23	Housing-Emergency Repair OLD 1-02058-0029/0	04/30/1995		4,198.78	\$ 0.00
24	Housing-Emergency Repair OLD 1-02058-0029/0	05/31/1995		600.91	\$ 0.00
25	Finance-Property Tax 1-02058-0029/0	01/01/1996		9,943.14	\$ 0.00
26	Finance-Property Tax 1-02058-0029/0	04/01/1996		9,506.89	\$ 0.00
27	Buildings-Illuminated Signs 1-02058-0029/0	41994 01/01/1997		430.37	\$ 0.00
28	Finance-Property Tax 1-02058-0029/0	07/01/1996		9,409.52	\$ 0.00
29	Finance-Property Tax 1-02058-0029/0	10/01/1996		8,992.25	\$ 0.00
30	Finance-Property Tax 1-02058-0029/0	01/01/1997		8,989.47	\$ 0.00
31	Finance-Property Tax 1-02058-0029/0	04/01/1997		8,599.30	\$ 0.00
32	Buildings-Illuminated Signs 1-02058-0029/0	41939 07/01/1997		370.44	\$ 0.00
33	Finance-Property Tax 1-02058-0029/0	07/01/1997		8,437.58	\$ 0.00
34	Finance-Property Tax 1-02058-0029/0	10/01/1997		8,063.42	\$ 0.00
35	Finance-Property Tax 1-02058-0029/0	01/01/1998		7,691.94	\$ 0.00
36	Finance-Property Tax 1-02058-0029/0	04/01/1998		7,358.09	\$ 0.00
37	Buildings-Illuminated Signs 1-02058-0029/0	40001 07/01/1998		318.85	\$ 0.00
38	Finance-Property Tax 1-02058-0029/0	07/01/1998		7,103.84	\$ 0.00
39	Finance-Property Tax 1-02058-0029/0	10/01/1998		6,788.81	\$ 0.00
40	Finance-Property Tax 1-02058-0029/0	01/01/1999		6,127.16	\$ 0.00
41	Finance-Property Tax 1-02058-0029/0	04/01/1999		5,861.23	\$ 0.00

42	<input type="checkbox"/>	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/1999		274.45	\$ 0.00
43	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		07/01/1999		5,817.35	\$ 0.00
44	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		10/01/1999		5,559.38	\$ 0.00
45	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		01/01/2000		5,423.64	\$ 0.00
46	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		04/01/2000		5,185.68	\$ 0.00
47	<input type="checkbox"/>	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2000		239.06	\$ 0.00
48	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		07/01/2000		5,184.19	\$ 0.00
49	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		10/01/2000		4,954.30	\$ 0.00
50	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		01/01/2001		4,731.13	\$ 0.00
51	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		04/01/2001		4,525.78	\$ 0.00
52	<input type="checkbox"/>	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2001		203.24	\$ 0.00
53	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		10/01/2001		3,248.05	\$ 0.00
54	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		01/01/2002		4,139.76	\$ 0.00
55	<input type="checkbox"/>	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2002		179.38	\$ 0.00
56	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		04/01/2002		3,960.08	\$ 0.00
57	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		07/01/2002		4,002.84	\$ 0.00
58	<input type="checkbox"/>	Environment-Water Lien 1-02058-0029/0		08/09/2002		93,979.97	\$ 0.00
59	<input type="checkbox"/>	Environment-Water Lien 1-02058-0029/0		09/19/2002		1,926.49	\$ 0.00
60	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		10/01/2002		3,825.34	\$ 0.00
61	<input type="checkbox"/>	Environment-Water Lien 1-02058-0029/0		12/20/2002		2,796.90	\$ 0.00
62	<input type="checkbox"/>	Finance-Property Tax 1-02058-0029/0		01/01/2003		4,162.79	\$ 0.00

63	Environment-Water Lien 1-02058-0029/0		03/21/2003		2,684.48	\$ 0.00
64	Finance-Property Tax 1-02058-0029/0		04/01/2003		3,982.12	\$ 0.00
65	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2003		152.45	\$ 0.00
66	Environment-Water Lien 1-02058-0029/0		06/20/2003		2,674.71	\$ 0.00
67	Finance-Property Tax 1-02058-0029/0		07/01/2003		4,000.39	\$ 0.00
68	Environment-Water Lien 1-02058-0029/0		09/19/2003		1,418.62	\$ 0.00
69	Finance-Property Tax 1-02058-0029/0		10/01/2003		3,822.99	\$ 0.00
70	Environment-Water Lien 1-02058-0029/0		12/22/2003		1,398.95	\$ 0.00
71	Finance-Property Tax 1-02058-0029/0		01/01/2004		3,713.58	\$ 0.00
72	Environment-Water Lien 1-02058-0029/0		03/23/2004		830.40	\$ 0.00
73	Finance-Property Tax 1-02058-0029/0		04/01/2004		3,550.65	\$ 0.00
74	Finance-Foreclosure Penalty 1-02058-0029/0		04/27/2004		1,000.00	\$ 0.00
75	Finance-Foreclosure Search Fee 1-02058-0029/0		04/27/2004		35.00	\$ 0.00
76	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2004		131.16	\$ 0.00
77	Environment-Water Lien 1-02058-0029/0		06/21/2004		1,003.38	\$ 0.00
78	Environment-Water Lien 1-02058-0029/0		09/20/2004		1,119.27	\$ 0.00
79	Finance-Property Tax 1-02058-0029/0		10/01/2004		3,673.83	\$ 0.00
80	Environment-Water Lien 1-02058-0029/0		12/21/2004		1,110.05	\$ 0.00
81	Finance-Property Tax 1-02058-0029/0		01/01/2005		3,328.53	\$ 0.00
82	Environment-Water Lien 1-02058-0029/0		03/23/2005		1,140.26	\$ 0.00
83	Finance-Property Tax 1-02058-0029/0		04/01/2005		3,210.86	\$ 0.00













84	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2005		116.19	\$ 0.00
85	Environment-Water Lien 1-02058-0029/0		06/21/2005		1,115.35	\$ 0.00
86	Finance-Property Tax 1-02058-0029/0		07/01/2005		3,517.45	\$ 0.00
87	Environment-Water Lien 1-02058-0029/0		09/20/2005		1,677.62	\$ 0.00
88	Finance-Property Tax 1-02058-0029/0		10/01/2005		3,438.56	\$ 0.00
89	Environment-Water Lien 1-02058-0029/0		12/21/2005		1,924.44	\$ 0.00
90	Finance-Property Tax 1-02058-0029/0		01/01/2006		3,460.51	\$ 0.00
91	Environment-Water Lien 1-02058-0029/0		03/23/2006		1,567.90	\$ 0.00
92	Finance-Property Tax 1-02058-0029/0		04/01/2006		3,384.57	\$ 0.00
93	Environment-Water Lien 1-02058-0029/0		06/20/2006		1,534.02	\$ 0.00
94	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2006		102.29	\$ 0.00
95	Finance-Property Tax 1-02058-0029/0		07/01/2006		3,539.15	\$ 0.00
					Total Due	Amount to Pay
					\$475,172.96	\$ 0.00

Exhibit C

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In Rem Tax Foreclosure Action No. 46

Borough of Manhattan

Section 3, 6, 7, and 8

**ANSWER TO NOTICE
OF FORECLOSURE
Index No. 580001/2004**

Tax Classes 1 and 2
-----X

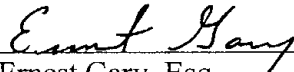
477 West 142nd Street HDFC ("HDFC") by its attorney, Ernest Gary, answers the Commissioner of Finance of the City of New York Notice of Foreclosure In Rem Action No. 46 as follows:

1. HDFC denies the allegations of delinquent real estates and sewer and water charges. The Department of Finance of the City of New York has failed to provide HDFC with an accurate amount of real estate taxes and sewer and water charges due.
2. Employees of the Department of Housing Preservation and Development ("HPD") assured HDFC that certain programs and agreements could be used in order to provide HDFC with additional time to raise funds necessary to cure arrears. That the Board of Directors of HDFC have approved plan that will restore HDFC to financial stability.
3. That as part of the plan to restore HDFC to financial stability, all of the shareholders of HDFC have agreed to an increased maintenance charge.
4. That the HDFC has undertaken significant steps to lease value retail space that has been vacant for a number of years.

5. That the HDFC has engaged a team of professionals that will facilitate the financing and rehabilitation of the 477 West 142nd Street including all residential units.
6. That the President of the board of directors, Dr. Delois Blakely, has been in constant conversation with HPD to work out a mutually acceptable resolution.

WHEREFORE, HDFC respectfully demands discontinuance of the In Rem Tax Foreclosure Action No. 46.

Dated this 29th day of April, 2004


Ernest Gary, Esq.
Attorney for Plaintiff
Law Offices of Ernest Gary, PLLC
2 William Street, Suite 201
White Plains, New York 10601
Tel. (914) 682-4495

Serve upon:

Hon. Michael A. Cardozo
Corporation Counsel
Tax and Bankruptcy Litigation Division
100 Church Street
New York, NY 10007

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

X

In Rem Tax Foreclosure Action No. 46

NOTICE OF FORECLOSURE

Borough of Manhattan

INDEX NO. 580001/2004

Sections 3, 6, 7, and 8

Tax Classes 1 and 2

X

PLEASE TAKE NOTICE THAT on the 9th day of January, 2004, the Commissioner of Finance of the City of New York, pursuant to law, filed with the Clerk of New York County, a list of parcels affected by unpaid tax liens held and owned by said City of New York, which on the 9th day of January, 2004, had been unpaid for a period of at least one year, or in the case of Tax Class One and Tax Class Two properties that are residential condominium units or residential cooperative buildings and multiple dwellings owned by companies organized under Article XI of the New York State Private Housing Finance Law, with the consent and approval of the Department of Housing Preservation and Development, three years after the date when tax, assessment, or other legal charge became a lien. Said list contains as to each such parcel (a) a brief description of the property affected by such tax liens, (b) the name of the owner of such property as the same appeared on the annual record of assessed valuation at the time of filing or a statement that the owner is unknown if such be the case, (c) a listing of such tax liens upon such parcels, including those which caused the property to be subject to the foreclosure proceeding and those which accrued thereafter, together with the date or dates from which, and the rate or rates at which interest and penalties thereon shall be computed.

The filing of this list of delinquent taxes constitutes the commencement by the City of New York of an action in the Supreme Court, New York County, to foreclose the tax liens therein described by a foreclosure proceeding in rem and this list constitutes a notice of pendency of action and a complaint by the City of New York against each piece or parcel of land therein described to enforce the payment of such tax liens.

Such action is brought against the real property only and is to foreclose the tax liens described in such list. No personal judgment shall be entered herein for such taxes, assessments or other legal charges or any part thereof.

A certified copy of such list of delinquent taxes has been filed in the Manhattan Business Center, 66 John Street, Second Floor, New York, NY 10038, and will remain open for public inspection up to and including the 9th day of April, 2004, which date is hereby fixed as the last date for redemption.

Any party or entity having an interest in a such parcel and the legal right thereto may on or before said date redeem the same by paying the Commissioner of Finance, at 66 John Street, Second Floor, New York, NY 10038, or any Borough Business Center, the amount of all such unpaid tax liens thereon and in addition thereto all interest and penalties which are a lien against such real property computed to and including the date of redemption.

And take further notice that during the same period such party or entity may request the Commissioner of Finance to enter into an agreement for installment payments as provided under Sections 11-405 and 11-409 of the Administrative Code.

Every person or entity having any right, title or interest in or lien upon any parcel described on such list of delinquent taxes may serve a duly verified answer upon the Corporation Counsel setting forth in detail the nature and amount of his interest or lien, any defense or objection to the foreclosure and the full name of the answering party. Such answer must be filed in the office of the Clerk of New York County and served upon the Corporation Counsel at any time after the first date of publication but not later than twenty days after the date above mentioned as the last day for redemption, which shall be April 29th, 2004. In the event of failure to redeem or answer, such person shall be, except as provided in Sections 11-407(c), 11-412.1 and 11-424 of the Administrative Code, forever barred and foreclosed of all his right, title and interest and equity of redemption in and to the parcel described in such list of delinquent taxes and a judgment of foreclosure may be taken in default.

Dated: January 20, 2004

Martha E. Stark
Commissioner of Finance
City of New York

Serve all legal papers on:

Hon. Michael A. Cardozo
Corporation Counsel
Tax and Bankruptcy Litigation Division
100 Church Street
New York, NY 10007

Exhibit D

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- x

IN REM TAX FORECLOSURE ACTION NO. 46

BOROUGH OF MANHATTAN

SECTIONS 3, 6, 7, AND 8

TAX CLASSES 1 AND 2

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Index No. 580001/04

Premises:

477 West 142nd Street
(Block 2058, Lot 29)

----- x

PLEASE TAKE NOTICE that upon the annexed Affidavit of LESLIE SPITALNICK, sworn to December 22, 2006, and the Affidavit of Myriam Ellis, sworn to December 19, 2006, and the exhibits annexed thereto, and upon all the prior pleadings and proceedings had herein, including the List of Delinquent Taxes filed herein pursuant to the Administrative Code of the City of New York § 11-405, the Affirmation of Regularity of Andrea Feller, Assistant Corporation Counsel, dated June 29, 2005, and the Judgment of Foreclosure signed by this Court on July 28, 2005, and entered on August 11, 2005, from which the above-named property was severed the undersigned will move this Court at the courthouse located at 60 Centre Street, New York, New York, Room 130, on the 29th day of January, 2007 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an Order pursuant to New York Civil Practice Law and Rules ("C.P.L.R.") § 3212 and Admin. Code § 11-412.1 for summary judgment, specifically for a judgment of foreclosure concerning the parcel of property that is designated on the New York County Tax Map as Block 2058, Lot 29, also known as 477 West 142nd Street in the Borough of Manhattan, on the grounds that there are no triable issues of fact and there are no valid defenses to the *in rem* tax foreclosure action commenced by the City, thereby warranting judgment in

favor of the City as a matter of law, together with costs and disbursements and for such other and further relief this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to C.P.L.R. § 2214(b), answering papers, if any, are required to be served so that they are received upon the undersigned at least (7) days before the return date of this motion.

Dated: New York, New York

December 22 2006

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
100 Church Street, Room 3-116
New York, New York 10007
(212) 788-1230

By: Leslie Spitalnick
Assistant Corporation Counsel
(Awaiting Admission)

By: Andrea Feller
ANDREA FELLER
Assistant Corporation Counsel

To: LAW OFFICES OF ERNEST GARY
Attorney for Defendant
2 William Street, Suite 201
White Plains, NY 10601
(914) 682-4495

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X
IN REM TAX FORECLOSURE ACTION NO. 46
BOROUGH OF MANHATTAN
SECTIONS 3, 6, 7 AND 8
TAX CLASSES 1 AND 2

**AFFIDAVIT IN SUPPORT
OF THE CITY'S MOTION
FOR SUMMARY
JUDGMENT OF
FORECLOSURE**

Index No. 580001/04

Premises:

----- X
477 West 142nd Street
(Block 2058/Lot 29)

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

LESLIE SPITALNICK, being duly sworn, deposes and says:

1. I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, counsel for Movant the City of New York (the "City") in the above-captioned action. I am fully familiar with the facts and circumstances set forth herein based upon the books and records of the City, upon public records, upon conversations with City employees, and upon my personal knowledge.

2. I make this affidavit in support of the City's motion for summary judgment of foreclosure pursuant to New York Civil Practice Law and Rules § 3212 and § 11-401, et seq., of the Administrative Code of the City of New York ("Admin. Code"), specifically § 412.1, with respect to property that is designated on the New York County Tax Map as Block 2058, Lot 29, also known as 477 West 142nd Street, New York, in the borough of Manhattan (the "Parcel").

3. As a matter of law, the Answer of owner 477 West 142nd Street Housing Development Fund Corporation (“477 West 142nd Street HDFC”) to this *in rem* tax foreclosure action raises no valid defenses. See Admin. Code § 11-409. 477 West 142nd Street HDFC has not paid property taxes and related charges on the Parcel since November 1992 and as of September 21, 2006, owes \$475,172.96 in delinquent property taxes and related charges including interest. In addition, 477 West 142nd Street HDFC has failed to enter into a regulatory agreement, as proposed by HPD, to be eligible for tax amnesty. See accompanying Affidavit of Myriam Ellis, sworn to December 19, 2006 (“Ellis Aff.”).

4. As a result, the City is entitled to a judgment of foreclosure.

MANHATTAN FORECLOSURE ACTION NO. 46

5. On January 9, 2004, the City commenced In Rem Tax Foreclosure Action No. 46, Borough of Manhattan, Index No. 580001/04 (Solomon, J.) (“Manhattan 46”), pursuant to Admin. Code § 11-401, et seq., to foreclose upon certain tax delinquent parcels located in Sections 3, 6, 7 and 8 on the Tax Map of the City of New York for the Borough of Manhattan, by the filing of duplicate Lists of Delinquent Taxes pursuant to Admin. Code § 11-405 in the office of the County Clerk of New York County.

6. The Parcel was included in Manhattan 46 as the result of a \$302,370.03 lien for delinquent taxes and other charges, dating back to November 1992, when the action was commenced on January 9, 2004. A copy of the relevant page of the List of Delinquent Taxes regarding the Parcel is annexed hereto as Exhibit A. As already set forth, as of September 21, 2006, the amount of delinquent property taxes and related charges had increased to \$475,172.96. A copy of the relevant pages of the Department of Finance website showing the amount of taxes owed on the Parcel as of September 21, 2006 is annexed hereto as Exhibit B.

7. In addition, as of October 3, 2006, the Parcel had 115 outstanding housing code violations. Of those, twenty-nine are classified as Class A violations, the least severe; sixty-eight are classified as Class B, middle-level severity; and eighteen are classified as Class C violations, the most severe. A copy of the Building Registration Summary Report for housing violations on 477 West 142nd Street is annexed hereto as Exhibit C.

8. On or about January 20, 2004, pursuant to Admin. Code § 11-406, the City sent a Notice of Foreclosure by first class mail, together with a statement in the form provided for in Admin. Code § 11-406, to each and every owner, mortgagee, lienor, encumbrancer, or other person with an interest in each parcel included in Manhattan 46 entitled to receive such notice by virtue of having filed an owner's registration or an *in rem* registration card pursuant to Admin. Code §§ 4-116 or 11-417. A copy of the Notice of Foreclosure is annexed hereto as Exhibit D.

9. Finance mailed two Notices of Foreclosure regarding Manhattan 46 to, among others, the owner defendant 477 West 142nd Street HDFC, 477 West 142nd Street, New York, NY 10031-6239, the address at which it requested such notice on its *in rem* registration card, previously filed with Finance. A copy of the relevant pages of Finance's Mailing List for Manhattan 46 is annexed hereto as Exhibit E.

10. The City also complied with the filing, posting, and publication requirements of Admin. Code §§ 11-405 and 11-406, as demonstrated by the Affirmation of Regularity of Andrea Feller, Assistant Corporation Counsel, dated June 29, 2005 ("Aff. of Regularity") submitted in support of the judgment in Manhattan 46 and the exhibits annexed thereto, especially the Affidavit of Regularity of Martha E. Stark, Commissioner of the Department of Finance, sworn to on June 28, 2005. A copy of the Aff. of Regularity, including

exhibits, is annexed hereto as Exhibit F. The Aff. of Regularity provides evidence of the City's due and proper service of the notices, which was accepted by the Court as proof thereof. See also Exhibit G, the Decision and the Judgment of Foreclosure in Manhattan 46, entered on August 11, 2005, reciting the City's compliance with the notice requirements of the Admin. Code.

11. On April 29, 2004, 477 West 142nd Street HDFC, having received notice of Manhattan 46, timely served an Answer on the City. A copy of the Answer is annexed hereto as Exhibit H.

12. In its Answer, 477 West 142nd Street HDFC denies that taxes are owed in the amount alleged by the City, and alleges that the Department of Finance has failed to provide 477 West 142nd Street HDFC with an accurate amount of taxes owed. In addition, 477 West 142nd Street HDFC attempts to establish: (1) that HPD employees assured 477 West 142nd Street HDFC of the availability of programs and agreements for 477 West 142nd Street HDFC to be able to raise funds to pay taxes owed, and that 477 West 142nd Street HDFC's Board has approved a financial plan to do so; (2) that all shareholders of 477 West 142nd Street HDFC agreed to an increase in maintenance charges;¹ (3) that 477 West 142nd Street HDFC has attempted to lease vacant retail space; (4) that 477 West 142nd Street HDFC hired professionals to facilitate rehabilitation of the Parcel; and (5) that the 477 West 142nd Street HDFC President has conversed with HPD employees in order to come to a resolution.

13. As set forth in the Ellis Affidavit, HPD encouraged 142nd Street HDFC to rectify its tax arrears in order to avoid foreclosure. Specifically, HPD advised 477 West 142nd Street HDFC of the availability of a regulatory agreement to receive tax amnesty for the

¹ Presumably, an increase in maintenance charges would raise funds to pay delinquent charges.

building. Representatives of HPD spoke with Dr. Delois Blakely, president of 477 West 142nd Street HDFC, on several occasions to discuss establishing a regulatory agreement. See Ellis Aff., ¶¶ 5-6.

14. Since interposing its Answer on April 29, 2004, 477 West 142nd Street HDFC has taken no steps to pay the delinquent taxes and related charges, and has failed to enter into a regulatory agreement with Finance, pay the down payment, apply for tax amnesty or take other action to prevent foreclosure on the Premises.

A. 477 West 142nd Street HDFC Received Notice of Manhattan 46 and Received All Process Due, so This Court has Jurisdiction Over 477 West 142nd Street HDFC.

15. The City complied with all the requirements in the Admin. Code for service, preparation, and filing of notice of the *in rem* action. This court clearly has jurisdiction over 477 West 142nd Street HDFC.

16. Upon commencement of an *in rem* tax foreclosure action, the New York City Department of Finance (“Finance”) is required to mail a copy of such notice to a party interested in the proceeding who has filed an owner or *in rem* registration card with the City. See Memorandum of Law, Point II, A.

17. There is a presumption that a party to an *in rem* foreclosure received notice of foreclosure where the City shows that the correct procedures were followed. A mere denial of receipt is insufficient to rebut this presumption. See Memorandum of Law, Point II, A.

18. Even if an interested party can show that it did not receive the notice of foreclosure, the party’s receipt of actual notice will defeat its claim of failure of notice. The purpose of the notice provisions of the Admin. Code is to allow an interested party to enter an Answer, thereby severing the premises from the *in rem* action, or to present evidence to Finance

that property taxes and related charges have been paid, which is a complete defense to foreclosure. Actual notice of an *in rem* tax foreclosure satisfies that statutory purpose.

19. The City has shown that it complied with all notice requirements of Title 11, Chapter 4 of the Admin. Code to give notice to 477 West 142nd Street HDFC of Manhattan 46. In fact, the judgment in Manhattan 46 specifically recites compliance by the City with such provisions. 477 West 142nd Street HDFC's filing of its Answer is proof that 477 West 142nd Street HDFC had notice of Manhattan 46 pursuant to either Finance's mailing or posting of the notice of public foreclosure or actual notice of the *in rem* tax foreclosure.

20. 477 West 142nd Street HDFC was afforded due process. Finance mailed notice to 477 West 142nd Street HDFC, pursuant to Admin. Code §§ 11-406 and 11-416, to the address at which 477 West 142nd Street HDFC requested receipt of notice.

21. An interested party to an *in rem* action may redeem any parcel named in the list of delinquent taxes by paying all taxes and related charges, interest and penalties. 477 West 142nd Street HDFC has presented no evidence that it redeemed the parcel through payment of taxes. This Court clearly has jurisdiction. See Memorandum of Law, Point II, B.

B. 477 West 142nd Street HDFC Has No Valid Defense to the In Rem Tax Foreclosure.

22. There are only two valid defenses to an *in rem* tax foreclosure action: payment and exemption. Admin. Code § 11-409(b) states: "Proof that the taxes which made said property subject to foreclosure hereunder together with interest and penalties thereon, were paid before filing of the list of delinquent taxes or that the property was not subject to tax shall constitute a complete defense." See Memorandum of Law, Point III.

23. 477 West 142nd Street HDFC has not paid the taxes and related charges on the Parcel and plainly is not exempt. 477 West 142nd Street HDFC merely denies the allegations of delinquent property taxes, and other charges, without showing payment or exemption.

Finance records clearly show that as of September 21, 2006, 477 West 142nd Street HDFC owes \$475,172.96 in taxes and other charges to the City. 477 West 142nd Street HDFC has no valid defense to foreclosure. The City is entitled to summary judgment.

C. 477 West 142nd Street HDFC May Not Challenge the Amount of Unpaid Taxes and Related Charges in This Action.

24. 477 West 142nd Street HDFC denies that it owes delinquent property taxes and related charges, and alleges that Finance has failed to provide 477 West 142nd Street HDFC with an accurate amount of property taxes and related charges due. See Answer, ¶ 1.

25. Taxes, assessments, and other charges named in the List of Delinquent Taxes are presumed to be valid. See Memorandum of Law, Point IV.

26. 477 West 142nd Street HDFC has not paid the taxes and other outstanding charges on the Parcel in approximately 14 years and as of September 21, 2006 owes \$475,172.96 in delinquent taxes and related charges. See Exhibit B.

27. Moreover, 477 West 142nd Street HDFC may not challenge the assessment of real property taxes in this forum. A Real Property Tax Law Article 7 tax certiorari proceeding provides the exclusive remedy for challenging a tax assessment, and the challenge must be commenced before October 25 of each tax year at issue. See Memorandum of Law, Point IV.

28. 477 West 142nd Street HDFC fails to assert or come forward with any proof of having timely challenged the property tax assessment in an Article 7 tax certiorari proceeding. 477 West 142nd Street HDFC is time-barred from challenging the amount of taxes due. See Memorandum of Law, Point IV.

D. The City Acted in Good Faith with 477 West 142nd Street HDFC to Enter into a Regulatory Agreement, but HDFC Failed to Enter into Any Such Agreement.

29. 477 West 142nd Street HDFC alleges that “[e]mployees of [HPD] assured [477 West 142nd Street] HDFC that certain programs and agreements could be used in order to

provide [477 West 142nd Street] HDFC with additional time to raise funds necessary to cure arrears.” Answer, ¶ 2.

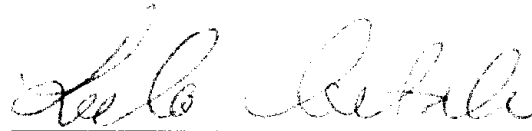
30. In fact, although the City made numerous efforts to encourage 477 West 142nd Street HDFC to rectify the situation to avoid foreclosure and made specific suggestions as to how that could be done, 477 West 142nd Street HDFC failed to take advantage of any of HPD’s efforts. The City informed 477 West 142nd Street HDFC of the availability of an regulatory agreement to be eligible for tax amnesty, but 477 West 142nd Street HDFC failed to enter into any such agreement. See Ellis Aff., ¶¶ 5-8.

31. 477 West 142nd Street HDFC’s other allegations, that it has taken steps to stabilize its finances, are, in the absence of a regulatory agreement or payment of arrears, simply irrelevant. See Answer, ¶¶ 3-5. The Parcel is being foreclosed in this *in rem* action because 477 West 142nd Street HDFC is unwilling or unable to enter into an agreement to repay the outstanding taxes and related charges.

32. 477 West 142nd Street HDFC has no valid defenses to Manhattan 46. All the allegations interposed are easily dismissed or irrelevant. 477 West 142nd Street HDFC has failed to raise a legally valid defense to the foreclosure action, and there are no triable issues of fact to be decided herein. The City’s motion for summary judgment should be granted, and a judgment of foreclosure entered against the Parcel.

33. No previous application has been made for the relief sought herein.

WHEREFORE, the City respectfully requests that the Court grant the City's motion for summary judgment and direct the clerk to enter a judgment of foreclosure in the proposed form submitted herewith regarding the Parcel, and such other relief as the Court deems necessary and proper.



LESLIE SPITALNICK

Sworn to before me this
22nd day of December, 2006


NOTARY PUBLIC

KAY M. EDWARDS
Notary Public, State of New York
No. 24-5025080
Qualified in Richmond County
Certificate Filed in New York County
Commission Expires March 21, 2010

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- x

IN REM TAX FORECLOSURE ACTION NO. 46

BOROUGH OF MANHATTAN

SECTIONS 3, 6, 7 AND 8

TAX CLASSES 1 AND 2

AFFIDAVIT

Index No. 580001/04

Premises:

477 West 142nd Street
(Block 2058/Lot 29)

----- x

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

MYRIAM ELLIS, being duly sworn, deposes and says:

1. I am an employee of the New York City Department of Housing Preservation and Development ("HPD"), working in the Tenant Interim Lease Program, Division of Alternative Management Programs. I work with Housing Development Fund Corporations ("HDFCs") to help maintain them as low income housing providers. My job includes providing technical assistance to prevent HDFCs from being foreclosed in the City's Third Party Transfer Program or, in some cases, recommending such transfer where properties are hopelessly in disrepair or totally unable to remedy delinquencies. I regularly meet with owners of delinquent property, before and/or after the commencement of tax foreclosure proceedings, to assist them in maintaining ownership of their property and advise them of their options to resolve the delinquency.

2. I submit this affidavit in support of the City's motion for summary judgment of foreclosure pursuant to New York Civil Practice Law and Rules § 3212 and § 11-401, et seq., of the Administrative Code of the City of New York, specifically § 412.1, with

respect to property that is designated on the New York County Tax Map as Block 2058, Lot 29, also known as 477 West 142nd Street in the borough of Manhattan (the "Parcel"). I am familiar with the facts and circumstances of this motion based upon personal knowledge and from review of the books and records of the City of New York (the "City"), including HPD and the New York City Department of Finance ("Finance"), and upon conversations with City employees.

3. The parcel is owned by defendant 477 West 142nd Street Housing Development Fund Corporation ("47 West 142nd Street HDFC"), which served an answer, thus severing the property from the action. According to Finance records, no payments have been made for property taxes and related charges on the Parcel since November 1992. As of September 21, 2006, there was outstanding \$475,172.96 in delinquent property taxes and related charges, including interest.

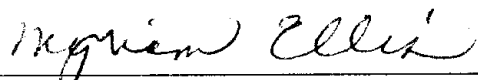
4. Neither 47 West 142nd Street HDFC, nor any other interested party, redeemed the Parcel by paying taxes, charges, interest, and penalties within time periods set forth by statute.

5. Since the inclusion of the parcel in In Rem Tax Foreclosure Action No. 46, Borough of Manhattan, Index No. 580001/04 (Solomon, J.), HPD has made numerous efforts to encourage 477 West 142nd Street HDFC to rectify the situation to avoid foreclosure and made specific suggestions as to how that could be done.

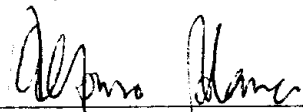
6. Mark Matthews, HPD's Director of Sales and Procurement, and I met with Dr. Delois Blakely, president of 477 West 142nd Street HDFC, on several occasions to advise Dr. Blakely of the possibility of 477 West 142nd Street HDFC receiving tax amnesty pursuant to the New York Private Housing Finance Law, were 477 West 142nd Street HDFC to enter into a regulatory agreement with HPD.

7. HDFCs are special New York State corporations organized pursuant to the New York Private Housing Finance Law, Article XI. Many, but not all, are organized as cooperatives. 477 West 142nd Street HDFC is organized as a cooperative, and acquired its property from the City in a deed dated December 7, 1982. I advised Dr. Blakely and 477 West 142nd Street HDFC that as an HDFC cooperative, it could be eligible for tax relief under section 577-b of the New York Private Housing Finance Law. I informed 477 West 142nd Street HDFC that HDFC cooperatives which owe back real estate taxes may have taxes which accrued prior to January 1, 2001 suspended, and ultimately forgiven, by entering into and complying with a regulatory agreement administered by the City. The requirements for receiving such an agreement include providing HPD with certified copies of the most recent annual HDFC Board election, the most recent audited annual financial report, minutes of the shareholder meeting approving the regulatory agreement, newly adopted corporate documents, and the rent roll, as well as a projected budget, a certificate of fire and liability insurance, and a plan for curing Housing Code violations. See N.Y. Priv. Hous. Fin. Law § 577-b.

8. 477 West 142nd Street HDFC repeatedly asked HPD for assistance, but 477 West 142nd Street failed to submit any of the required documentation to apply for a regulatory agreement.


 MYRIAM ELLIS

Sworn to before me this
 19 day of December, 2006


 NOTARY PUBLIC

ALFONSO POLANCO
 Notary Public, State of New York
 No. 01PO4976878
 Qualified in Kings County
 Commission Expires Jan. 22, 2007

Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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IN REM TAX FORECLOSURE ACTION NO. 46

BOROUGH OF MANHATTAN

Index No. 580001/2004

SECTIONS 3, 6, 7 AND 8

TAX CLASSES 1 AND 2

----- x

Filing Date: January 9, 2004

Last Day to Redeem: April 9, 2004

Last Day to File Answer: April 29, 2004

INTEREST RATES

1937 AND SUBSEQUENT TAXES - 7% PER ANNUM FROM MAY 1, 1937; OR

ON IMPROVED PROPERTY WHERE THE ANNUAL TAX IS MORE THAN \$2000.00 AND ON UNIMPROVED PROPERTY REGARDLESS OF THE AMOUNT OF ANNUAL TAX:

7% PER ANNUM FROM MAY 1, 1937 THROUGH JULY 31, 1969;
AND 1% PER MONTH FROM AUGUST 1, 1969 THROUGH DECEMBER 31, 1976;
AND 15% PER ANNUM FROM JANUARY 1, 1977 THROUGH JUNE 30, 1979;
AND 18% PER ANNUM ON PROPERTY WHERE THE ANNUAL TAX IS MORE THAN \$2750.00
AND ON UNIMPROVED PROPERTY REGARDLESS OF THE AMOUNT OF ANNUAL TAX -
FROM JULY 1, 1979 THROUGH JUNE 30, 1981;
AND 25.5% PER ANNUM FROM JULY 1, 1981 THROUGH JUNE 30, 1982;
AND 23% PER ANNUM FROM JULY 1, 1982 THROUGH JUN 30, 1983;
AND 16.5% PER ANNUM FROM JULY 1, 1983 THROUGH JUNE 30, 1984;
AND 18.5% PER ANNUM FROM JULY 1, 1984 THROUGH JUNE 30, 1985;
AND 16% PER ANNUM FROM JULY 1, 1985;
AND 15% PER ANNUM FROM JULY 1, 1987;
AND 15.5% PER ANNUM FROM JULY 1, 1988;
AND 19% PER ANNUM FROM JULY 1, 1989;
AND 19% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1990;
AND 18% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1991.

NOTE: INTEREST ON ARREARS ON IMPROVED PROPERTY WHERE THE ANNUAL TAX IS \$2750.00 OR LESS BUT MORE THAN \$2000.00 WILL BE CALCULATED AT A RATE OF:

7% PER ANNUM FROM MAY 1, 1937 THROUGH JULY 31, 1969;
1% PER MONTH FROM AUGUST 1, 1969 THROUGH DECEMBER 31, 1976;
15% PER ANNUM FROM JANUARY 1, 1977 THROUGH JUNE 30, 1979;
7% PER ANNUM FROM JULY 1, 1979;
10% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1990;
9% PER ANNUM COMPOUNDED DAILY FROM JULY 1, 1991

BEGINNING JULY 1, 1990, THE HIGHER REAL PROPERTY TAX INTEREST RATE APPLIES TO ANY PROPERTY FOR WHICH TAXES ARE PAID FROM AN ESCROW ACCOUNT BY A MORTGAGE ESCROW AGENT.

INTEREST IS CALCULATED FROM THE FOLLOWING DATES TO THE DATE PAID:

REAL ESTATE TAX

1937 AND 1938 TAXES:	1 ST HALF-APRIL 1	2 ND HALF-OCTOBER 1
1939 (FIRST 6 MONTHS):	APRIL 1	
1939/40 TO 1967/68: (FISCAL YEAR JULY 1 TO JUNE 30)		
	1 ST HALF-OCTOBER 1	2 ND HALF-APRIL 1
1968/69 (QUARTERLY BEGINS 1/1/69)		
	1 ST HALF- OCTOBER 1	
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1
1969/70 TO 1977/78:	1 ST QTR - AUGUST 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1
1978/79 TO 1981/82:	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

FOR PROPERTIES WITH ASSESSED VALUATION OF MORE THAN \$30,000 (MORE THAN \$40,000 BEGINNING IN 1986/87):

1982/83:	1 ST QTR - JULY 1	2 ND QTR - SEPTEMBER 1
	2 ND HALF - JANUARY 1	
1983/84 TO 1985/86:	1 ST HALF - JULY 1	2 ND HALF - JANUARY 1

FOR PROPERTIES WITH ASSESSED VALUATION OF \$30,000 OR LESS (\$40,000 OR LESS BEGINNING IN 1986/87):

1982/83 TO 1985/86	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

FOR TAX CLASS 1 AND CLASS 2 PROPERTIES WITH ASSESSED VALUATION OF LESS THAN OR EQUAL TO \$80,000 AND CLASS 3 AND CLASS 4 PROPERTIES WITH ASSESSED VALUATION OF LESS THAN OR EQUAL TO \$40,000:

BEGINNING IN 1998/99	1 ST QTR - JULY 1	2 ND QTR - OCTOBER 1
	3 RD QTR - JANUARY 1	4 TH QTR - APRIL 1

SIMILARLY, FOR COOPERATIVE BUILDINGS, IF THE ASSESSED VALUATION DIVIDED BY THE NUMBER OF DWELLING UNITS IS LESS THAN OR EQUAL TO \$80,000, PAYMENTS SHOULD BE MADE IN QUARTERLY INSTALLMENTS. ALL OTHER PROPERTIES PAY IN SEMI-ANNUAL INSTALLMENTS.

OTHER CHARGES - THE DATE OF ENTRY

Frontage	11-312(a)	415(1)-17	7% if due on or before 6/30/76 15% if due on or after 6/30/77 15% beginning 1/1/77 through 6/30/78 From 7/1/79 see Note below
Metered Water	11-312(b)	415(1)-17	7% if due on or before 12/31/76 15% if due on or after 1/1/77 15% beginning 1/1/77 through 6/30/79 From 7/1/79 see Note below
Sewer (unmetered)	11-313(b)	415(1)-17	7% if due on or before 6/30/76 7% for such charges through 12/31/76 15% for such charges beginning 1/1/77 15% if due on or after 6/30/77 From 7/1/79 see Note below
Sewer (metered)	11-313(b)	415(1)-17	7% if due on or before 12/31/76 7% for such charges through 12/31/76 15% for such charges beginning 1/1/77 15% if due on or after 1/1/77 From 7/1/79 see Note below
Sewer surcharge	11-313	683a4-9.0	Use rate applicable to sewer charge
Sidewalk	19-152(i)	693-6.0	Prior to 2/3/85: Real Estate Tax Rate From 2/3/85 until 12/28/93: Real Estate Tax Rate unless such rate is 7%; If rate is 7%, then lower of 8.5% or cost of City's debt service Beginning 12/28/93: Real Estate Tax Rate Unless annual tax is no greater than \$2,750, then lower of 8.5% or cost of debt service
Sewer Connection	24-512(b)	683a4-7.2	7%
Emergency Repair	27-2144(d)	D26-57.03	7%
Pest Control	17-151(d)	564-24.0	15% beginning 12/29/78 through 6/30/79 From 7/1/79, the HIGH Real Estate Tax rate
Canopy Repair	19-124(i)	692F-6.0(i)(1)	7% until 1/27/94 Real Estate Tax Rate beginning 1/27/94

Note:

For Frontage, Metered Water, Sewer (unmetered) and Sewer (metered), the City Council set the interest rates by resolution beginning 7/1/79. From 7/1/79 through 6/30/90 the HIGH real estate tax interest rate was applied to water/sewer charges. From 7/1/90 through 6/30/95, the Water Board split the rate so that the interest rate applicable to real property tax on a property was applied to water/sewer charges on the property. Beginning 7/1/95, the Water Board determined that the LOW real property tax interest rate would be applied to all properties.

12/14/2003

12/14/03
REPT NO. F6R0051CITY OF NEW YORK
DEPARTMENT OF FINANCE
FAIRTAXPAGE
1.14.45 96

LIST OF DELINQUENT TAXES

TITLE 11 CHAPTER 4 ADMINISTRATIVE CODE OF THE CITY OF NEW YORK
COUNTY OF NEW YORKCASE ID : 009068837 S BORO-BLOCK-LOT : BBL 1-02058-0029/0 PARCEL OWNER : 477 W 142 ST H D F C
ACTION NUMBER : 0046 SECTION : 007 PARCEL LOCATION : 477 WEST 142 STREET
BOROUGH : MANHATTAN BUILDING CLASS : C6 WALK UP APT_COOPERATIVES
FILING DATE : 01/09/2004

ACCT TYPE	ACCT DESC	ACCOUNT ID	PERIOD BEGIN DATE	PERIOD END DATE	DUE DATE	OUTSTANDING BALANCE
0267	MTWS	00151	11/02/1992	11/02/1992	11/02/1992	1,449.17
0267	MTWS	00151	01/25/1993	01/25/1993	01/25/1993	4,840.02
0267	MTWS	00151	05/24/1993	05/24/1993	05/24/1993	6,542.61
0015	SIGN	40000	05/28/1993	05/28/1993	05/28/1993	483.20
0282	RS	776601	04/01/1992	03/31/1993	06/01/1993	367.07
0267	MTWS	00151	08/09/1993	08/09/1993	08/09/1993	3,057.57
0267	MTWS	00151	12/20/1993	12/20/1993	12/20/1993	5,742.68
0270	REAL		01/01/1994	06/30/1994	01/01/1994	7,361.22
0267	MTWS	00151	04/04/1994	04/04/1994	04/04/1994	3,105.33
0015	SIGN	40000	05/09/1994	05/09/1994	05/09/1994	2,628.70
0267	MTWS	00151	05/28/1994	05/28/1994	05/28/1994	415.91
0270	REAL		09/19/1994	09/19/1994	09/19/1994	4,964.76
0282	RS	776601	10/01/1994	12/31/1994	10/01/1994	8,226.06
0267	MTWS	00151	04/01/1993	03/31/1994	11/04/1994	262.29
0270	REAL	00151	11/21/1994	11/21/1994	11/21/1994	1,816.46
0267	MTWS	00151	01/01/1995	03/31/1995	01/01/1995	7,524.46
0230	REPR	00151	01/23/1995	01/23/1995	01/23/1995	1,702.66
0270	REAL		02/28/1995	02/28/1995	02/28/1995	1,725.85
0230	REPR	00151	04/01/1995	06/30/1995	04/01/1995	362.43
0015	SIGN	40000	04/28/1995	04/28/1995	04/28/1995	7,453.59
0270	REAL		07/01/1995	09/30/1995	07/01/1995	7,123.06
0230	REPR	00151	10/01/1995	12/31/1995	10/01/1995	590.20
0230	REPR	00151	05/31/1995	05/31/1995	05/31/1995	6,807.19
0270	REAL		04/30/1995	04/30/1995	04/30/1995	3,468.10
0015	SIGN	41994	01/01/1996	03/31/1996	01/01/1996	6,508.53
0270	REAL		04/01/1996	06/30/1996	04/01/1996	308.01
0270	REAL		01/01/1997	01/01/1997	01/01/1996	6,156.20
0270	REAL		07/01/1996	09/30/1996	07/01/1996	6,154.29
0270	REAL		10/01/1996	12/31/1996	10/01/1996	5,887.18
0015	SIGN	41939	01/01/1997	03/31/1997	01/01/1997	265.11
0270	REAL		04/01/1997	06/30/1997	04/01/1997	5,776.47
0270	REAL		07/01/1997	07/01/1997	07/01/1997	5,520.31
0270	REAL		10/01/1997	12/31/1997	10/01/1997	5,265.99
0015	SIGN	40001	01/01/1998	06/30/1998	01/01/1998	5,037.43
0270	REAL		04/01/1998	06/30/1998	04/01/1998	228.19
0270	REAL		07/01/1998	09/30/1998	07/01/1998	4,863.37

12/14/2003

12/14/03
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 BOROUGH : MANHATTAN BUILDING CLASS : C6 WALK UP APT COOPERATIVES
 FILING DATE : 01/09/2004

ACCT TYPE	ACCT DESC	ACCOUNT ID	PERIOD BEGIN DATE	PERIOD END DATE	DUE DATE	OUTSTANDING BALANCE
0270	REAL		10/01/1998	12/31/1998	10/01/1998	4,647.70
0270	REAL		01/01/1999	03/31/1999	01/01/1999	4,194.73
0270	REAL		04/01/1999	06/30/1999	04/01/1999	4,012.66
0015	SIGN	40001	07/01/1999	06/30/2000	05/28/1999	196.41
0270	REAL		07/01/1999	09/30/1999	07/01/1999	3,982.63
0270	REAL		10/01/1999	12/31/1999	10/01/1999	3,806.01
0270	REAL		01/01/2000	03/31/2000	01/01/2000	3,713.09
0015	SIGN	40001	04/01/2000	06/30/2000	04/01/2000	3,550.18
0270	REAL		07/01/2000	06/30/2001	04/28/2000	171.09
0270	REAL		07/01/2000	09/30/2000	07/01/2000	3,549.16
0270	REAL		10/01/2000	12/31/2000	10/01/2000	3,391.77
0270	REAL		01/01/2001	03/31/2001	01/01/2001	3,238.98
0015	SIGN	40001	04/01/2001	06/30/2001	04/01/2001	3,098.40
0270	REAL		07/01/2001	06/30/2002	05/28/2001	145.46
0270	REAL		10/01/2001	12/31/2001	10/01/2001	2,223.66
0015	SIGN	40001	01/01/2002	03/31/2002	01/01/2002	2,834.12
0270	REAL		07/01/2002	06/30/2003	03/28/2002	128.38
0015	SIGN	40001	04/01/2002	06/30/2002	04/01/2002	2,711.12
0270	REAL		07/01/2002	09/30/2002	07/01/2002	2,740.39
0060	WTLN		08/09/2002	12/31/2002	08/09/2002	82,742.64
0270	REAL		10/01/2002	03/31/2003	10/01/2002	2,618.87
0270	REAL		01/01/2003	06/30/2003	01/01/2003	2,726.20
0015	SIGN	40001	04/01/2003	06/30/2004	04/28/2003	109.10
0270	REAL		07/01/2003	09/30/2003	07/01/2003	2,738.71
0270	REAL		10/01/2003	12/31/2003	10/01/2003	2,617.26

TOTAL OUTSTANDING BALANCE : 302,370.03

Exhibit B

09/21/06 13:18 NYC DOF FAIRTAX : DISTRIBUTION LIST RCI0001 F802 F8M0040

BBL : 1-02058-0029/0 LOCATION : 477 WEST 142 STREET NEW YORK
 NOTICE NUMBER : 0748675040113 NOTICE ID : 00092301 FORECLOSURE NOTICE
 NOTICE STATUS : SENT CASE ID : 009068837 S COPY INSERTS : N
 ACCOUNT TYPE : PROP ACCOUNT ID :
 GENERIC NOTICE: N GENERIC NOTICE ID :
 SEND RELA CASE ADDR ACCT ACCOUNT MAIL DATE S
 RECIPIENT NAME ORIG NOTC TYPE RELA TYPE TYPE ID RTRN EFFECT U

1 477 W 142 ST H D F C	Y Y 041	062 PROP		05/30/01
2 EDWARD A ELLERBE	N Y 045	062 MTWS	00523	Y 08/14/75
3 HARTS PHARMACY	N Y 045	062 SIGN	41994	Y 05/10/96
4 S SIEGEL	N Y 045	062 MTWS	03315	Y 09/22/66
5 MANUFACTURERS HAN TR	N Y 048	062		Y 07/12/74
6 NORTH & SOUTH	N Y 056	062		Y 04/23/95

SOURCE OF INFO : 202 BF6P010
 UPDATE REASON : 999 NOTICE

LAST UPDATE BY : BF8P002
 UPDATE DATE/TIME : 01/16/2004 05:2

01-HELP 03-END 06-SUSPEND 09-CANCEL 16-TOGGLE 22-PRIOR

NEXT FUNCTION : DATA :

Back to NYC Serv *The Official New York City Web Site*

Property Tax | View Items

Profile

Name: 477 W 142 ST H D F C

Mailing Address: 477 W 142ND ST APT 1
 NEW YORK, NY 10031-6239

Planned Payment

Date: 09/21/2006

BBL: 1-02058-0029/0

Search Criteria

From Date:

Account Year:

To Date:





















09/21/2006






















Account Type:





















To display additional details for the item, click  in the Details column. (A new window will open.)






















Charges as of Thursday, Sep. 21, 2006 01:30 PM

☐ Check this box to select or deselect all items

1	Environment-Meter/Sewer 1-02058-0029/0	00151	11/02/1992		2,116.77	\$ 0.00
2	Environment-Meter/Sewer 1-02058-0029/0	00151	01/25/1993		7,069.73	\$ 0.00
3	Environment-Meter/Sewer 1-02058-0029/0	00151	05/24/1993		9,556.68	\$ 0.00
4	Buildings-Illuminated Signs 1-02058-0029/0	40000	05/28/1993		675.17	\$ 0.00
5	Housing-Rent Stabilization 1-02058-0029/0	776601	04/01/1992		536.17	\$ 0.00
6	Environment-Meter/Sewer 1-02058-0029/0	00151	08/09/1993		4,466.14	\$ 0.00
7	Environment-Meter/Sewer 1-02058-0029/0	00151	12/20/1993		8,388.24	\$ 0.00
8	Finance-Property Tax 1-02058-0029/0		01/01/1994		10,752.41	\$ 0.00
9	Environment-Meter/Sewer 1-02058-0029/0	00151	04/04/1994		4,535.90	\$ 0.00
10	Environment-Meter/Sewer 1-02058-0029/0	00151	05/09/1994		3,839.69	\$ 0.00
11	Buildings-Illuminated Signs 1-02058-0029/0	40000	05/28/1994		581.14	\$ 0.00
12	Environment-Meter/Sewer 1-02058-0029/0	00151	09/19/1994		7,251.93	\$ 0.00
13	Finance-Property Tax 1-02058-0029/0		10/01/1994		12,015.66	\$ 0.00
14	Housing-Rent Stabilization 1-02058-0029/0	776601	04/01/1993		383.12	\$ 0.00
15	Environment-Meter/Sewer 1-02058-0029/0	00151	11/21/1994		2,653.27	\$ 0.00
16	Finance-Property Tax 1-02058-0029/0		01/01/1995		10,990.84	\$ 0.00
17	Environment-Meter/Sewer 1-02058-0029/0	00151	01/23/1995		2,487.04	\$ 0.00
18	Housing-Emergency Repair OLD 1-02058-0029/0		02/28/1995		2,089.45	\$ 0.00
19	Finance-Property Tax 1-02058-0029/0		04/01/1995		10,513.81	\$ 0.00
20	Buildings-Illuminated Signs 1-02058-0029/0	40000	04/28/1995		506.42	\$ 0.00

21	Finance-Property Tax 1-02058-0029/0	07/01/1995		10,887.33	\$ 0.00
22	Finance-Property Tax 1-02058-0029/0	10/01/1995		10,404.53	\$ 0.00
23	Housing-Emergency Repair OLD 1-02058-0029/0	04/30/1995		4,198.78	\$ 0.00
24	Housing-Emergency Repair OLD 1-02058-0029/0	05/31/1995		600.91	\$ 0.00
25	Finance-Property Tax 1-02058-0029/0	01/01/1996		9,943.14	\$ 0.00
26	Finance-Property Tax 1-02058-0029/0	04/01/1996		9,506.89	\$ 0.00
27	Buildings-Illuminated Signs 1-02058-0029/0	41994 01/01/1997		430.37	\$ 0.00
28	Finance-Property Tax 1-02058-0029/0	07/01/1996		9,409.52	\$ 0.00
29	Finance-Property Tax 1-02058-0029/0	10/01/1996		8,992.25	\$ 0.00
30	Finance-Property Tax 1-02058-0029/0	01/01/1997		8,989.47	\$ 0.00
31	Finance-Property Tax 1-02058-0029/0	04/01/1997		8,599.30	\$ 0.00
32	Buildings-Illuminated Signs 1-02058-0029/0	41939 07/01/1997		370.44	\$ 0.00
33	Finance-Property Tax 1-02058-0029/0	07/01/1997		8,437.58	\$ 0.00
34	Finance-Property Tax 1-02058-0029/0	10/01/1997		8,063.42	\$ 0.00
35	Finance-Property Tax 1-02058-0029/0	01/01/1998		7,691.94	\$ 0.00
36	Finance-Property Tax 1-02058-0029/0	04/01/1998		7,358.09	\$ 0.00
37	Buildings-Illuminated Signs 1-02058-0029/0	40001 07/01/1998		318.85	\$ 0.00
38	Finance-Property Tax 1-02058-0029/0	07/01/1998		7,103.84	\$ 0.00
39	Finance-Property Tax 1-02058-0029/0	10/01/1998		6,788.81	\$ 0.00
40	Finance-Property Tax 1-02058-0029/0	01/01/1999		6,127.16	\$ 0.00
41	Finance-Property Tax 1-02058-0029/0	04/01/1999		5,861.23	\$ 0.00

42	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/1999		274.45	\$ 0.00
43	Finance-Property Tax 1-02058-0029/0		07/01/1999		5,817.35	\$ 0.00
44	Finance-Property Tax 1-02058-0029/0		10/01/1999		5,559.38	\$ 0.00
45	Finance-Property Tax 1-02058-0029/0		01/01/2000		5,423.64	\$ 0.00
46	Finance-Property Tax 1-02058-0029/0		04/01/2000		5,185.68	\$ 0.00
47	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2000		239.06	\$ 0.00
48	Finance-Property Tax 1-02058-0029/0		07/01/2000		5,184.19	\$ 0.00
49	Finance-Property Tax 1-02058-0029/0		10/01/2000		4,954.30	\$ 0.00
50	Finance-Property Tax 1-02058-0029/0		01/01/2001		4,731.13	\$ 0.00
51	Finance-Property Tax 1-02058-0029/0		04/01/2001		4,525.78	\$ 0.00
52	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2001		203.24	\$ 0.00
53	Finance-Property Tax 1-02058-0029/0		10/01/2001		3,248.05	\$ 0.00
54	Finance-Property Tax 1-02058-0029/0		01/01/2002		4,139.76	\$ 0.00
55	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2002		179.38	\$ 0.00
56	Finance-Property Tax 1-02058-0029/0		04/01/2002		3,960.08	\$ 0.00
57	Finance-Property Tax 1-02058-0029/0		07/01/2002		4,002.84	\$ 0.00
58	Environment-Water Lien 1-02058-0029/0		08/09/2002		93,979.97	\$ 0.00
59	Environment-Water Lien 1-02058-0029/0		09/19/2002		1,926.49	\$ 0.00
60	Finance-Property Tax 1-02058-0029/0		10/01/2002		3,825.34	\$ 0.00
61	Environment-Water Lien 1-02058-0029/0		12/20/2002		2,796.90	\$ 0.00
62	Finance-Property Tax 1-02058-0029/0		01/01/2003		4,162.79	\$ 0.00

63	Environment-Water Lien 1-02058-0029/0		03/21/2003		2,684.48	\$ 0.00
64	Finance-Property Tax 1-02058-0029/0		04/01/2003		3,982.12	\$ 0.00
65	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2003		152.45	\$ 0.00
66	Environment-Water Lien 1-02058-0029/0		06/20/2003		2,674.71	\$ 0.00
67	Finance-Property Tax 1-02058-0029/0		07/01/2003		4,000.39	\$ 0.00
68	Environment-Water Lien 1-02058-0029/0		09/19/2003		1,418.62	\$ 0.00
69	Finance-Property Tax 1-02058-0029/0		10/01/2003		3,822.99	\$ 0.00
70	Environment-Water Lien 1-02058-0029/0		12/22/2003		1,398.95	\$ 0.00
71	Finance-Property Tax 1-02058-0029/0		01/01/2004		3,713.58	\$ 0.00
72	Environment-Water Lien 1-02058-0029/0		03/23/2004		830.40	\$ 0.00
73	Finance-Property Tax 1-02058-0029/0		04/01/2004		3,550.65	\$ 0.00
74	Finance-Foreclosure Penalty 1-02058-0029/0		04/27/2004		1,000.00	\$ 0.00
75	Finance-Foreclosure Search Fee 1-02058-0029/0		04/27/2004		35.00	\$ 0.00
76	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2004		131.16	\$ 0.00
77	Environment-Water Lien 1-02058-0029/0		06/21/2004		1,003.38	\$ 0.00
78	Environment-Water Lien 1-02058-0029/0		09/20/2004		1,119.27	\$ 0.00
79	Finance-Property Tax 1-02058-0029/0		10/01/2004		3,673.83	\$ 0.00
80	Environment-Water Lien 1-02058-0029/0		12/21/2004		1,110.05	\$ 0.00
81	Finance-Property Tax 1-02058-0029/0		01/01/2005		3,328.53	\$ 0.00
82	Environment-Water Lien 1-02058-0029/0		03/23/2005		1,140.26	\$ 0.00
83	Finance-Property Tax 1-02058-0029/0		04/01/2005		3,210.86	\$ 0.00











84	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2005		116.19	\$ 0.00
85	Environment-Water Lien 1-02058-0029/0		06/21/2005		1,115.35	\$ 0.00
86	Finance-Property Tax 1-02058-0029/0		07/01/2005		3,517.45	\$ 0.00
87	Environment-Water Lien 1-02058-0029/0		09/20/2005		1,677.62	\$ 0.00
88	Finance-Property Tax 1-02058-0029/0		10/01/2005		3,438.56	\$ 0.00
89	Environment-Water Lien 1-02058-0029/0		12/21/2005		1,924.44	\$ 0.00
90	Finance-Property Tax 1-02058-0029/0		01/01/2006		3,460.51	\$ 0.00
91	Environment-Water Lien 1-02058-0029/0		03/23/2006		1,567.90	\$ 0.00
92	Finance-Property Tax 1-02058-0029/0		04/01/2006		3,384.57	\$ 0.00
93	Environment-Water Lien 1-02058-0029/0		06/20/2006		1,534.02	\$ 0.00
94	Buildings-Illuminated Signs 1-02058-0029/0	40001	07/01/2006		102.29	\$ 0.00
95	Finance-Property Tax 1-02058-0029/0		07/01/2006		3,539.15	\$ 0.00
					Total Due	Amount to Pay
					\$475,172.96	\$ 0.00

Exhibit C

The selected address: **1661 AMSTERDAM AVENUE, Manhattan 10031**

HPD#	Range	Block	Lot	CD	CensusTract	Stories	A Units	B Units	Ownership	MDR#	Class
5617 Active	1661-1669	02058	0029	9	22701	5	8	0	PVT	117766	A

Other
UnitsProperty
Registration
AssistanceEmerg.
RepairsCharges
(PDF)

Map

Carbon
Monoxide
CertificateRegistration
Summary
ReportAll Open
Violationsprior year
Open
Viol.'s**Building Registration Summary Report**

Owner	Last Reg Dt	Organization	Last Nm	First Nm	House No	Street Nm	Apt	City	State	Zip
Head Officer	2006/04/17		BLAKELY	DELOIS	477	W 142ND ST	2	NYC	NY	10031
Officer	2006/04/17		PITTS	SHIRLEY	477	W 142ND ST	2	NYC	NY	10031
Officer	2006/04/17		DEBARRY	CHARLES	477	W 142ND ST	2	NYC	NY	10031
Corporation	2006/04/17	477 WEST 142ND STREET HDFC			477	W 142ND ST	2	NYC	NY	10031
Managing Agent	2006/04/17	NEW FUTURE FD	BLAKELY	DELOIS	477	W 142ND ST	2	NYC	NY	10031
Emerg. Contact	2006/04/17		BLAKELY	DELOIS						
Emerg. Contact	2006/04/17		PITTS	SHIRLEY						

Open Violations - ALL DATES

There are 115 Violations. Arranged by category: A class: 29 B class: 68 C class: 18 I class: 0

For definitions, click on the Glossary link at the upper right.

To sort the columns, click on their underlined headers below in the blue area.

Apt Story	Reported Date nov ISSUED Date	Hzrd Class	Order no Item no	Violation ID	Violation Description	Status Status Date	Owner Certification Dates: 1st Lead, 2nd Lead
- 966	2004/04/03 2004/04/08	B	505	4911071	§ 27-2005 adm code replace with new the broken or defective tarazzo tile at stair at front areaway	NOV SENT 2004/04/08	2004/06/01 -
4 3	2002/10/11 2002/10/21	B	508	4375249	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color walls and ceilings throughout at entire apartment, 3rd story, apartment	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2002/10/21	B	510	4375250	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of exposed electric wires at ceiling light fixtures throught at entire apartment, 3rd story, apartment	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2006/07/28	A	501	4375261	§ 27-2005 adm code properly repair the broken or defective door frames and trim throughout at entire apartment, 3rd story, apartment	NOV SENT 2006/07/28	2006/11/26 -
4 3	2002/10/11 2002/10/21	B	506	4375269	§ 27-2005 adm code replace with new the missing fuse box cover at kitchen, 3rd story, apartment	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2002/10/21	B	501	4375276	§ 27-2005 adm code properly repair the broken or defective wood floor in the 2nd room from north at west located at apt 4, 3rd story, 1st apartment from west at north	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2002/10/21	B	530	4375281	§ 27-2005, 2007 adm code arrange and make self-closing the doors at entrance, 3rd story, apartment	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2002/10/21	B	596	4375284	§ 27-2026 adm code replace the broken or defective washbasin in the bathroom located at apt 4, 3rd story, 1st apartment from west at north	NOV SENT 2002/10/21	2002/12/14 -
4 1	2002/10/11 2002/10/21	B	702	4375287	§ 27-2045 adm code repair or replace the smoke detector which is missing tenant james garey at entire apartment, 1st story, apartment	NOV SENT 2002/10/21	2002/12/14 -
4 3	2002/10/11 2002/10/21	B	502	4375292	§ 27-2005 adm code properly repair with similar material the broken or defective ceramic floor tiles at bathroom , 3rd story, apartment	NOV SENT 2002/10/21	2002/12/14 -

2 2	2002/03/25 2002/03/28	B	702	4149302	§ 27-2045 adm code repair or replace the smoke detector defective -tenant[delois blakely] located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/03/28	2002/05/21 -
2 2	2002/01/18 2002/01/24	B	566	4080932	§ 27-2018 adm code abate the nuisance consisting of vermin mice in the entire apartment located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/01/24	2002/03/19 -
2 2	2002/01/18 2002/01/24	B	501	4080951	§ 27-2005 adm code properly repair the broken or defective leak shut off valve at radiator 2nr room from north at west and in the 1st room from north at west located at apt 2, 2nd story, 1st apartment from west at north	NOT COMPLIED 2002/03/27	2002/03/19 -
2 2	2002/01/18 2002/01/24	B	501	4080965	§ 27-2005 adm code properly repair the broken or defective leaky shut off valve at radiator in the 3rd room from north at west located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/01/24	2002/03/19 -
2 2	2002/01/18 2006/07/28	A	502	4080980	§ 27-2005 adm code properly repair with similar material the broken or defective wood floor at radiator 2nd room from north at west and in the 1st room from north at west located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2002/01/18 2002/01/24	B	502	4080988	§ 27-2005 adm code properly repair with similar material the broken or defective wood floor in the private hallway located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/01/24	2002/03/19 -
2 2	2002/01/18 2002/01/24	B	508	4081004	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceilings and walls in the entire apartment located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/01/24	2002/03/19 -
2 2	2002/01/18 2002/01/24	B	510	4081027	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of exposed electric wiring ceiling in the 4th room from north at east located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2002/01/24	2002/03/19 -
2 2	2002/01/18 2006/07/28	A	505	4081041	§ 27-2005 adm code replace with new the broken or defective missing door handle in the bathroom located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2002/01/18 2006/07/28	A	509	4081047	§ 27-2005 adm code properly secure the loose door hinges in the 2nd room from north at west located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2002/01/18 2006/07/28	A	501	4081056	§ 27-2005 adm code properly repair the broken or defective improperly counterbalanced window sashes in the entire apartment located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
- 2	2000/07/22 2000/07/24	B	509	3551957	§ 27-2005 adm code properly secure the loose handrail at public hall stairs, 2nd story	NOV SENT 2000/07/24	2000/09/07 -
2 2	2000/07/22 2000/07/24	B	510	3551958	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of onopenable window in the kitchen located at apt 2, 2nd story, 1st apartment from north at east	NOV SENT 2000/07/24	2000/09/07 -
2 2	2000/04/14 2000/04/18	B	579	3459736	§ 27-2026 adm code repair the leaky and/or defective faucets at bathtub in the bathroom located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2000/04/18	2000/06/02 -
2 2	2000/04/14 2000/04/18	B	502	3459753	§ 27-2005 adm code properly repair with similar material the broken or defective wooden floor in the foyer located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2000/04/18	2000/06/02 -
2 2	2000/04/14 2006/07/28	A	502	3459767	§ 27-2005 adm code properly repair with similar material the broken or defective wooden floor in the 2nd room from north at west located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2000/04/14 2006/07/28	A	501	3459789	§ 27-2005 adm code properly repair the broken or defective electrical outlet at west wall in the kitchen located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2000/04/14 2006/07/28	A	556	3459799	§ 27-2013 adm code paint with light colored paint to the satisfaction of this department ceiling walls and trim in the entire apartment located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2006/07/28	2006/11/26 -
2 2	2000/04/14 2000/04/18	B	530	3459807	§ 27-2005, 2007 adm code arrange and make self-closing the doors - in the entrance located at apt 2, 2nd story, 1st apartment from west at north	NOV SENT 2000/04/18	2000/06/02 -

2 2	2000/01/30 2000/02/03	B	579	3397693	§ 27-2026 adm code repair the leaky and/or defective faucets at washbasin in the bathroom located at apt 2, 2nd story, apartment at north	NOV SENT 2000/02/03	2000/03/19 -
7 5	1999/11/10 2006/07/28	A	510	3328790	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of exposed electrical wires ceiling northeast room 5 sty south apt 7. located at apt 7, 5th story	NOV SENT 2006/07/28	2006/11/26 -
7 5	1999/11/10 2006/07/28	A	501	3328791	§ 27-2005 adm code properly repair the broken or defective light fixture ceiling 5 sty south apt 7. located at apt 7, 5th story	NOV SENT 2006/07/28	2006/11/26 -
--	1998/08/14 2006/07/28	A	708	2801216	§ 27-2048 adm code paint or post a sign indicating floors on walls near stairs all stys public hall.	NOV SENT 2006/07/28	2006/11/26 -
--	1998/08/14 2006/07/28	A	778	2801217	§ 27-2104 adm code post and maintain a proper sign on wall of entrance story showing the registration number assigned by the department and the address of the building.	NOV SENT 2006/07/28	2006/11/26 -
--	1998/08/14 1998/09/22	B	552	2801218	§ 27-2010, 2011, 2012 adm code remove the accumulation of refuse and/or rubbish and maintain in a clean condition the bulkhead roof.	NOV SENT 1998/09/22	1998/11/16 -
--	1998/08/14 2006/07/28	A	502	2801219	§ 27-2005 adm code properly repair with similar material the broken or defective plaster walls & ceiling bulkhead roof.	NOV SENT 2006/07/28	2006/11/26 -
--	1998/04/28 1998/05/12	B	686	2801215	§ 27-2040 adm code provide adequate lighting at or near the outside of the front entranceway of the building and keep same burning from sunset every day to sunrise on the day following 200 watts minimum required fixture light not on.	NOT COMPLIED 2006/05/11	1998/07/06 -
--	1997/12/18 1998/01/13	C	512	2801214	§ 27-2005 adm code fire escape defective. replace with new the broken, defective and/or missing corroded bottom of front rail to 2 sty balcony south stack er1 97038947.	NOV SENT 1998/01/13	1998/02/04 -
6 -	1997/04/02 1997/04/15	C	670	2801211	§ 27-2031 adm code provide hot water at all hot water fixtures kitchen and bathroom 4 sty north apt 6. located at apt 6	NOV SENT 1997/04/15	1997/05/07 -
--	1997/04/02 1997/04/15	C	672	2801212	§ 27-2033 adm code provide ready access to buildings heating system cellar door locked.	NOV SENT 1997/04/15	1997/05/07 -
--	1997/04/02 1997/04/15	C	671	2801213	§ 27-2033 adm code post notice, in form approved by the departemnt, stating the name and location of the person designated by the owner to have key to buildings heating system 1 sty public hall and on boiler room door.	NOV SENT 1997/04/15	1997/05/07 -
--	1994/12/28 1995/01/10	C	508	2801201	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling 1 sty public hall at ctr.	NOV SENT 1995/01/10	1995/02/01 -
2 -	1994/12/28 1995/01/10	C	508	2801202	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling north wall 2 room from north at west 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/02/01 -
2 -	1994/12/28 1995/01/10	C	508	2801203	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color west wall ceiling south wall kitchen 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/02/01 -
2 -	1994/12/28 1995/01/10	B	506	2801204	§ 27-2005 adm code replace with new the missing studs west wall kitchen 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	510	2801205	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of moisture penetrating south wall southwest room 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	510	2801206	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of moisture penetrating ceiling bathroom 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	508	2801207	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling bathroom 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	508	2801208	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling east wall south wall northwest room 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	508	2801209	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling private hall 2 sty north apt 2. located at apt 2	NOV SENT 1995/01/10	1995/03/06 -
2 -	1994/12/28 1995/01/10	B	702	2801210	§ 27-2045 adm code repair or replace the smoke detector defective 2 sty north apt 2 maitland.	NOV SENT 1995/01/10	1995/03/06 -

1 -	1994/05/27 1994/07/05	B	702	2801198	§ 27-2045 adm code repair or replace the smoke detector defective 3 sty south apt 3 located at apt 7	NOV SENT 1994/07/05	1994/08/29 -
7ER -	1994/05/27 1994/07/05	C	576	2801199	§ 27-2024 adm code provide adequate supply of cold water for the fixtures at bathroom 5 sty south apt 7er 94016373/ located at apt 7er	NOV SENT 1994/07/05	1994/07/27 -
- -	1994/05/27 1994/07/05	B	538	2801200	§ 27-2005, 2007 adm code remove all encumbrances consisting of chairs at 5 sty public hall.	NOV SENT 1994/07/05	1994/08/29 -
3 -	1994/05/18 1994/06/07	C	576	2801194	§ 27-2024 adm code provide adequate supply of cold water for the fixtures bathroom fixtures 3 sty apt 3.	NOV SENT 1994/06/07	1994/06/29 -
3 -	1994/05/18 1994/06/07	C	577	2801195	§ 27-2024 adm code provide adequate supply of hot water for the fixtures bathroom fixture 3 sty apt 3.	NOV SENT 1994/06/07	1994/06/29 -
3 -	1994/05/18 1994/06/07	B	502	2801196	§ 27-2005 adm code properly repair with similar material the broken or defective ceramic wall tiles bathroom 3 sty apt 3.	NOV SENT 1994/06/07	1994/08/01 -
3 -	1994/05/18 1994/06/07	B	702	2801197	§ 27-2045 adm code repair or replace the smoke detector defective 3 sty apt 3 mr callender.	NOV SENT 1994/06/07	1994/08/01 -
2 -	1991/06/03 1991/06/18	B	510	2801186	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of concealed ceiling leak south room & bathroom 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	508	2801187	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling bathroom & south room 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	501	2801188	§ 27-2005 adm code properly repair the broken or defective washbasin bathroom 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	502	2801189	§ 27-2005 adm code properly repair with similar material the broken or defective ceramic tile floor & walls bathroom 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	501	2801190	§ 27-2005 adm code properly repair the broken or defective wood floor private hall & baseboard 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	566	2801191	§ 27-2018 adm code abate the nuisance consisting of vermin mice & roaches kitchen & bathroom 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 1991/06/18	B	508	2801192	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color walls & ceiling northeast & northwest rooms 2 sty north apt 2.	NOV SENT 1991/06/18	1991/08/12 -
2 -	1991/06/03 2006/07/28	A	556	2801193	§ 27-2013 adm code paint with light colored paint to the satisfaction of this department walls & ceiling all rooms etc 2 sty north apt 2.	NOV SENT 2006/07/28	2006/11/26 -
- -	1988/08/02 1988/09/06	B	502	2801175	§ 27-2005 adm code properly repair with similar material the broken or defective cement point brickwork and limestone joints over 2 and 3 sty south window 1 from west.	NOV SENT 1988/09/06	1988/10/31 -
- -	1988/08/02 1988/09/06	B	502	2801176	§ 27-2005 adm code properly repair with similar material the broken or defective cement point brickwork and limestone joints over 3 and 4 sty south window 1 from east.	NOV SENT 1988/09/06	1988/10/31 -
- -	1988/08/02 1988/09/06	C	510	2801177	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of dropladder obstructed by roll metal down gate cover north fire escape er1.	NOV SENT 1988/09/06	1988/09/28 -
- -	1988/08/02 1988/09/06	C	510	2801178	§ 27-2005 adm code & 309 m/d law abate the nuisance consisting of dropladder gravity hook turn in wrong position 2 sty north fire escape er1.	NOV SENT 1988/09/06	1988/09/28 -
5 -	1988/08/02 2006/07/28	A	692	2801179	§ 27-2043 adm code provide a lock and key to the entrance door of dwelling unit and, if a cl a multiple dwelling, also missing chain door guard 4 sty south apt 5. located at apt 5	NOV SENT 2006/07/28	2006/11/26 -
6 -	1988/08/02 2006/07/28	A	692	2801180	§ 27-2043 adm code provide a lock and key to the entrance door of dwelling unit and, if a cl a multiple dwelling, also missing chain door guard 4 sty north apt 6. located at apt 6	NOV SENT 2006/07/28	2006/11/26 -
- -	1988/08/02 2006/07/28	A	502	2801181	§ 27-2005 adm code properly repair with similar material the broken or defective south metal base frame dumbwaiter skylight west center roof.	NOV SENT 2006/07/28	2006/11/26 -
- -	1988/08/02 1988/09/06	B	512	2801182	§ 27-2005 adm code fire escape defective. replace with new the broken, defective and/or missing corroded bottom front rails 4 and 5 sty balconues south.	NOV SENT 1988/09/06	1988/10/31 -
- -	1988/08/02 1988/09/06	B	502	2801183	§ 27-2005 adm code properly repair with similar material the broken or defective plaster ceiling east around skylight bulkhead public hall landing.	NOV SENT 1988/09/06	1988/10/31 -
- -	1988/08/02	B	538	2801184	§ 27-2005, 2007 adm code remove all	NOV SENT	1988/10/31

Case 1:07-cv-03951-DLC Document 18-2 Filed 09/13/2007 Page 54 of 75									
5 -	1987/10/27 1987/12/29	B	530	2801164	§ 27-2005, 2007 adm code fire egress defective. remove obstructing bars or unlawful gates from window to fire escape or provide approved type gate at 4th sty south apt 5. located at apt 5	NOT COMPLIED 1988/08/02	1988/02/22	-	public hall at rear under stairs.
6 -	1987/10/27 1987/12/29	B	530	2801165	§ 27-2005, 2007 adm code arrange and make self-closing the doors at entrance 4th sty north apt 6. located at apt 6	NOT COMPLIED 1988/08/02	1988/02/22	-	
--	1987/10/27 1987/12/29	B	538	2801166	§ 27-2005, 2007 adm code remove all encumbrances consisting of disused door household articles at 5th sty public hall and stair.	NOT COMPLIED 1988/08/02	1988/02/22	-	
--	1987/10/27 2006/07/28	A	504	2801167	§ 27-2005 adm code provide metal screen below sky light at public hall bulkhead.	NOV SENT 2006/07/28	2006/11/26	-	
--	1987/10/27 1987/12/29	B	502	2801168	§ 27-2005 adm code properly repair with similar material the broken or defective interior wood trim of skylight at public hall bulkhead.	NOT COMPLIED 1988/08/02	1988/02/22	-	
--	1987/10/27 1987/12/29	B	505	2801169	§ 27-2005 adm code replace with new the broken or defective glass at public hall bulkhead sky light.	NOT COMPLIED 1988/08/02	1988/02/22	-	
--	1987/10/27 2006/07/28	A	502	2801170	§ 27-2005 adm code properly repair with similar material the broken or defective wood platform at public hall bulkhead.	NOV SENT 2006/07/28	2006/11/26	-	
--	1987/10/27 2006/07/28	A	506	2801171	§ 27-2005 adm code replace with new the missing marble saddle at door public hall bulkhead to roof.	NOV SENT 2006/07/28	2006/11/26	-	
--	1987/10/27 1987/12/29	B	538	2801172	§ 27-2005, 2007 adm code remove all encumbrances consisting of plant pots and building material at north roof.	NOT COMPLIED 1988/08/02	1988/02/22	-	
--	1987/10/27 1987/12/29	C	671	2801173	§ 27-2033 adm code post notice, in form approved by the departemnt, stating the name and location of the person designated by the owner to have key to buildings heating system at or near mail box 1st sty public hall.	NOT COMPLIED 1988/08/02	1988/01/20	-	
5 -	1987/09/15 2006/07/28	A	508	2801161	§ 27-2005 adm code repair the broken or defective plastered surfaces and paint in a uniform color ceiling 4 sty south apt 5 bathroom. located at apt 5	NOV SENT 2006/07/28	2006/11/26	-	
5 -	1987/09/15 1987/11/10	B	501	2801162	§ 27-2005 adm code properly repair the broken or defective light switch 4 sty south apt 5 bathroom. located at apt 5	NOT COMPLIED 1988/08/02	1988/01/04	-	
--	1987/09/15 2006/07/28	A	529	2801163	§ 27-2005 adm code refit boiler room door at cellar.	NOV SENT 2006/07/28	2006/11/26	-	
--	1986/06/16 1986/08/04	B	538	2801160	d26-10.01, 10.05 adm code remove all encumbrances consisting of flower pots and jars 4th sty bulkhead public hall stairs.	NOT COMPLIED 1988/08/02	1986/09/28	-	
1 -	1984/05/29 1984/07/09	B	701	2801158	d26-20.08,20.09 adm code provide an approved and operational smoke detecting device, installed in accordance with department of buildings rules and regulations 2nd sty west apt 1 missing. located at apt 1	NOV SENT 1984/07/09	1984/09/02	-	
7 -	1984/05/29 2006/07/28	A	506	2801159	d26-10.01 adm code replace with new the missing entrance door to west room 5th sty southwest apt 7.	NOV SENT 2006/07/28	2006/11/26	-	
--	1984/02/08 1984/03/12	B	510	2801155	d26-10.01 adm code & 309 m/d law abate the nuisance consisting of exposed wiring 1st sty public hall at rear.	NOT COMPLIED 1988/08/02	1984/05/06	-	
--	1984/02/08 2006/07/28	A	708	2801156	d26-21.03 adm code paint or post a sign indicating floors public hall all stys.	NOV SENT 2006/07/28	2006/11/26	-	
--	1984/02/08 1984/03/12	B	502	2801157	d26-10.01 adm code properly repair with similar material the broken or defective ceiling cellar at center.	NOV SENT 1984/03/12	1984/05/06	-	
--	1981/08/27 1981/09/28	B	504	2801152	d26-10.01 adm code provide covers for fuse boxes cellar at northwest boiler room area.	NOV SENT 1981/09/28	1981/11/22	-	
--	1981/08/27 1981/09/28	B	501	2801153	d26-10.01 adm code properly repair the broken or defective exposed electric wires of wall fixture public hall stairs to cellar.	NOT COMPLIED 1988/08/02	1981/11/22	-	
7 -	1981/08/27 2006/07/28	A	529	2801154	d26-10.01 adm code refit doors 2nd and 3rd room from south at west 5 sty southwest apt 7. located at apt 7	NOV SENT 2006/07/28	2006/11/26	-	
4 -	1981/08/20 1981/09/28	B	598	2801150	d26-16.01 adm code repair the broken or defective connection 3 sty rear apt 4 wash basin bathroom and combination sink kitchen.	NOV SENT 1981/09/28	1981/11/22	-	
4 -	1981/08/20 1981/09/28	B	649	2801151	d26-16.01 adm code remove all obstructions and repair all defects in bathtub 3 sty rear apt 4 bathroom.	NOV SENT 1981/09/28	1981/11/22	-	
1 -	1980/12/31 2006/07/28	A	646	2801148	d26-16.01 adm code properly close and seal opening as described below open cast iron vent connection 2 sty south west apt 1 kitchen next to sink.	NOV SENT 2006/07/28	2006/11/26	-	

1981/01/26				nuisance consisting of double cylinder lock installed	1984/05/29	-
1978/10/30	C	512	2801145	d26-10.01 adm code fire escape defective. replace with new the broken, defective and/or missing bottom south rail south fire escape at 2 sty balcony.	NOT COMPLIED	1979/02/20
1979/01/29					1988/08/02	-
1978/10/30	B	552	2801146	d26-11.01, 11.03, 11.05 adm code remove the accumulation of refuse and/or rubbish and maintain in a clean condition the cellar thru out.	1 NO ACCESS	1979/03/25
1979/01/29					1984/02/08	-
1978/10/30	B	552	2801147	d26-11.01, 11.03, 11.05 adm code remove the accumulation of refuse and/or rubbish and maintain in a clean condition the east court.	NOT COMPLIED	1979/03/25
1979/01/29					1988/08/02	-
1977/10/20	B	502	2801144	d26-10.01 adm code properly repair with similar material the broken or defective south masonry wall collapsed boiler room cellar.	1 NO ACCESS	1978/01/08
1977/11/14					1984/02/08	-
1976/08/18	C	649	2801142	d26-16.01 adm code remove all obstructions and repair all defects in yard drain east court at south.	1 NO ACCESS	1976/10/07
1976/09/07					1984/05/29	-
1976/08/18	C	649	2801143	d26-16.01 adm code remove all obstructions and repair all defects in rain leader connection to yard drain east court at south.	1 NO ACCESS	1976/10/07
1976/09/07					1984/05/29	-
1975/09/23	A	504	2801140	d26-10.01 adm code provide approved fire proof self closing door with key operated deadbolt & latch set peephole & chain door guard at entrance to 4 sty all doors.	NOV SENT	2006/11/26
2006/07/28					2006/07/28	-
1975/09/23	A	504	2801141	d26-10.01 adm code provide approved fire proof self closing door with key operated deadbolt & latch set peephole & chain door guard at entrance to 5 sty all doors.	NOV SENT	2006/11/26
2006/07/28					2006/07/28	-
1975/04/28	A	722	2801139	d26-22.03 adm code post sign on wall of entrance story bearing name, address including apartment number if any, and telephone number of superintendent, janitor or housekeeper.	NOV SENT	2006/11/26
2006/07/28					2006/07/28	-
1974/05/18	C	508	2801137	d26-10.01 adm code repair the broken or defective plastered surfaces and paint in a uniform color walls and ceilings 3rd sty north apt 4 bathroom.	1 NO ACCESS	1974/06/24
1974/06/15					1981/08/20	-
1974/05/18	C	502	2801138	d26-10.01 adm code properly repair with similar material the broken or defective tile walls 3rd sty north apt 4 bathroom.	1 NO ACCESS	1974/06/24
1974/06/15					1981/08/20	-



Exhibit D

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

X

In Rem Tax Foreclosure Action No. 46

Borough of Manhattan

Sections 3, 6, 7, and 8

Tax Classes 1 and 2

X

NOTICE OF FORECLOSURE

INDEX NO. 580001/2004

PLEASE TAKE NOTICE THAT on the 9th day of January, 2004, the Commissioner of Finance of the City of New York, pursuant to law, filed with the Clerk of New York County, a list of parcels affected by unpaid tax liens held and owned by said City of New York, which on the 9th day of January, 2004, had been unpaid for a period of at least one year, or in the case of Tax Class One and Tax Class Two, properties that are residential condominium units or residential cooperative buildings and multiple dwellings owned by companies organized under Article XI of the New York State Private Housing Finance Law, with the consent and approval of the Department of Housing Preservation and Development, three years after the date when tax, assessment, or other legal charge became a lien. Said list contains as to each such parcel (a) a brief description of the property affected by such tax liens, (b) the name of the owner of such property as the same appeared on the annual record of assessed valuation at the time of filing or a statement that the owner is unknown if such be the case, (c) a listing of such tax liens upon such parcels, including those which caused the property to be subject to the foreclosure proceeding and those which accrued thereafter, together with the date or dates from which, and the rate or rates at which interest and penalties thereon shall be computed.

The filing of this list of delinquent taxes constitutes the commencement by the City of New York of an action in the Supreme Court, New York County, to foreclose the tax liens therein described by a foreclosure proceeding in rem and this list constitutes a notice of pendency of action and a complaint by the City of New York against each piece or parcel of land therein described to enforce the payment of such tax liens.

Such action is brought against the real property only and is to foreclose the tax liens described in such list. No personal judgment shall be entered herein for such taxes, assessments or other legal charges or any part thereof.

A certified copy of such list of delinquent taxes has been filed in the Manhattan Business Center, 66 John Street, Second Floor, New York, NY 10038, and will remain open for public inspection up to and including the 9th day of April, 2004, which date is hereby fixed as the last date for redemption.

Any party or entity having or claiming to have an interest in any such parcel and the legal right thereto may on or before said date redeem the same by paying the Commissioner of Finance, at 66 John Street, Second Floor, New York, NY 10038, or any Borough Business Center, the amount of all such unpaid tax liens thereon and in addition thereto all interest and penalties which are a lien against such real property computed to and including the date of redemption.

And take further notice that during the same period such party or entity may request the Commissioner of Finance to enter into an agreement for installment payments as provided under Sections 11-405 and 11-409 of the Administrative Code.

Every person or entity having any right, title or interest in or lien upon any parcel described on such list of delinquent taxes may serve a duly verified answer upon the Corporation Counsel setting forth in detail the nature and amount of his interest or lien, any defense or objection to the foreclosure and the full name of the answering party. Such answer must be filed in the office of the Clerk of New York County and served upon the Corporation Counsel at any time after the first date of publication but not later than twenty days after the date above mentioned as the last day for redemption, which shall be April 29th, 2004. In the event of failure to redeem or answer, such person shall be, except as provided in Sections 11-407(c), 11-412.1 and 11-424 of the Administrative Code, forever barred and foreclosed of all his right, title and interest and equity of redemption in and to the parcel described in such list of delinquent taxes and a judgment of foreclosure may be taken in default.

Dated: January 20, 2004

Martha E. Stark
Commissioner of Finance
City of New York

Serve all legal papers on:

Hon. Michael A. Cardozo
Corporation Counsel
Tax and Bankruptcy Litigation Division
100 Church Street
New York, NY 10007

Exhibit E

INDEX NO. 580001/2004

MANHATTAN ACTION NO. 46

FILED JANUARY 9, 2004

FORECLOSURE NOTICE

MAILING LIST

1/30/2004 1/30/04
REPT NO. F6R0540CITY OF NEW YORK
DEPARTMENT OF FINANCE
FAIRTAXPAGE
4.36.50 26

MAILING LIST REPORT

ACTION NUMBER : 46
BOROUGH CODE : 1 MANHATTAN
SECTION : 7

NOTICE ID : 00092301 FORECLOSURE NOTICE

CASE ID : 009068834S
PARCEL ID : BBL 1-02058-0016/0
TAX CLASS : 2B

LOCATION : 292

CONVENT AVENUE

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

RS MNGR TEMP 002757063

AGNES SKEETER

NEW YORK

292

NY 10031-6307

OTHER TEMP 001939193

AGRES SKEETER

NEW YORK

292

NY 10031-6307

CASE ID : 009068835S

PARCEL ID : BBL 1-02058-0017/0

TAX CLASS : 2B

LOCATION : 294

CONVENT AVENUE

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

NDEED OMNR

SKEETER, AGNES

NEW YORK

292

CONVENT AVE

INREM REG TEMP 001183860

SAMUEL WEISSTEIN

NEW YORK

326

NY 10031-6307

RS MNGR TEMP 002757064

AGNES SKEETER

NEW YORK

292

NY 10027-3712

OTHER TEMP 001939193

AGRES SKEETER

NEW YORK

292

NY 10031-6307

CASE ID : 009068837S

PARCEL ID : BBL 1-02058-0029/0

TAX CLASS : 2

LOCATION : 477

WEST 142 STREET

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

OTHER TEMP 002269018

HARTS PHARMACY

NEW YORK

1661

AMSTERDAM AVE

OWNRG TEMP 002029486

477 W 142 ST H D F C

NEW YORK

477

NY 10031-6107

OTHER TEMP 001194287

S SIEGEL

NEW YORK

255

W 88TH ST

PRP

1/30/2004 1/30/04
REPT NO. F6R0540

CITY OF NEW YORK
DEPARTMENT OF FINANCE
FAIRTAX

PAGE 27
4.36.50

MAILING LIST REPORT

ACTION NUMBER : 46
BOROUGH CODE : 1 MANHATTAN
SECTION : 7

NOTICE ID : 00092301 FORECLOSURE NOTICE

CASE ID : 009068837S
PARCEL ID : BBL 1-02058-0029/0
TAX CLASS : 2

LOCATION : 477

WEST 142 STREET

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

LIENOR TEMP 002177422
INREM REG TEMP 001351663
OTHER TEMP 001717569

NORTH & SOUTH
MANUFACTURERS HAN TR CO
EDWARD A ELLERBE

NEW YORK
235
NEW YORK
350
NEW YORK
200
NY 10024-1716
E 123RD ST
NY 10035-2021
PARK AVE
NY 10022-6022
W 72ND ST
NY 10023-2824

PRP
PRP
PRP

CASE ID : 009068838S
PARCEL ID : BBL 1-02058-0050/0
TAX CLASS : 2

LOCATION : 458

WEST 143 STREET

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

OWNRG TEMP 001404042
HPD MANAGE
NDEED OWNR TEMP 001053558
LIENOR TEMP 002268853
HPD OWNER TEMP 002546212
LIENOR TEMP 002295468
RS MNGR

F & J MANAGEMENT CORP
JONATHAN FEIGENBAUM/7A ADMIN
458 WEST 143 ST RTY C
UNITED HOUSE OF PRAYER
J FEIGENBAUM
G K SERVICES INC
JONATHAN FEIGENBAUM

576
BRONX
161
NEW YORK
456
NEW YORK
2320
NEW YORK
161
NEW YORK
449
NEW YORK
161
NEW YORK
MORRIS PARK AVE
NY 10460-2501
SUFFOLK ST
NY 10002-1622
W 146TH ST
NY 10031-4721
8TH AVE
NY 10027-3613
SUFFOLK ST
NY 10002-1622
W 51ST ST
NY 10019-6310
SUFFOLK ST
NY 10002-1622

PRP
BLG
PRP
PRP

CASE ID : 009068841S
PARCEL ID : BBL 1-02061-0061/0
TAX CLASS : 2B

LOCATION : 1753

AMSTERDAM AVENUE

RELATIONSHIP RECIPIENT ID

RECIPIENT NAME

RECIPIENT ADDRESS

ADDR DATE
TYPE PRINTED

OTHER TEMP 002269023

CAFE LOUNGE

1753 AMSTERDAM AVE

PRP 1/23/04

Exhibit F

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X
IN REM TAX FORECLOSURE ACTION NO. 46

BOROUGH OF MANHATTAN

SECTIONS 3, 6, 7 AND 8

TAX CLASSES 1 AND 2
----- X

**AFFIRMATION OF
REGULARITY**

Index No. 580001/2004

ANDREA FELLER, an attorney admitted to practice law in the Courts of the State of New York, affirms the following to be true under the penalties of perjury pursuant to CPLR § 2106:

1. I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the City in this in rem foreclosure action. I am fully familiar with the matters set forth herein based upon the books and records of the City of New York and upon conversations with City employees. I submit this affirmation for the purpose of procuring a judgment of foreclosure pursuant to §§ 11-412 and 11-412.1 of the Administrative Code of the City of New York ("Admin. Code") upon all parcels of class one and class two and class four real property located within Sections 3, 6, 7 and 8 on the Tax Map of the City of New York for the Borough of Manhattan.

2. On January 9, 2004, there were filed in the Office of the Clerk of New York County two duplicate original verified Lists of Delinquent Taxes for the Borough of Manhattan, as shown by the affidavit of regularity of Martha E. Stark, Commissioner of the New York City Department of Finance, sworn to June 28, 2005, annexed hereto as Exhibit "A."

3. These Lists included all parcels of property designated on the Tax Map of the City of New York for the Borough of Manhattan, Sections 3, 6, 7 and 8, affected by tax liens, as such tax liens are defined by Admin. Code § 11-401, held and owned by the City, which on the date of filing were unpaid for the period required by § 11-404 of the Administrative Code. The Lists contained as to each parcel included therein the following:

- (a) A serial number;
- (b) A brief description sufficient to identify each parcel affected by tax liens by stating the lot, block and section on the Tax Map and street and street number if there be such; and
- (c) A statement of the amount of each tax lien upon each parcel contained in said List of Delinquent Taxes, including those due and unpaid for less than the period required by Admin. Code § 11-404, together with the date or dates from which and the rate or rates at which interest and penalties should be computed.

4. As described in the affidavit of regularity of Commissioner Stark, on January 9, 2004, and in accordance with Admin. Code § 11-405, certified copies of such List of Delinquent Taxes were filed in the following places:

- (a) In the Central Office of the Taxpayer Assistance, Planning and Payment Operations Division of the Department of Finance of the City of New York, 25 Elm Place, 4th floor Brooklyn, New York;
- (b) In the Office of the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, New York 10007; and
- (c) In the Office of the Manhattan Business Center of the Department of Finance, 66 John Street, 2nd floor, New York, New York 10038.

5. As set forth in the affidavits of Annette Malatesta, sworn to June 21, 2005 and Donald O'Connell, sworn to June 27, 2005 ("Affidavits of Mailing"), and as described in the affidavit of regularity of Commissioner Stark, pursuant to Admin. Code § 11-406, on or before the date of the first publication of the Notice of Foreclosure copies of the Notice of Foreclosure, together with a copy of the statement required by Admin. Code § 11-406(c), were mailed to each and every owner, mortgagee, lienor, encumbrancer or other person with an interest in such parcel entitled to receive such notice by virtue of having filed an owner's registration card or an in rem registration card pursuant to Admin. Code §§ 11-416 or 11-417, and with regard to any parcel herein as to which such cards were not filed, notice was addressed to the name, if any, and address appearing in the latest annual record of assessed valuations. Copies of the Affidavits of Mailing together with the Notice of Foreclosure are annexed hereto as Exhibit "B."

6. As described in the affidavit of regularity of Commissioner Stark, beginning on January 30, 2004, a copy of said Notice of Foreclosure was published once a week for at least six weeks pursuant to Admin. Code § 11-406 in the City Record, in the New York Law Journal, and in the New York Post, the latter two newspapers designated by the Commissioner of Finance of the City of New York for that purpose. Copies of the Affidavits of Publication in the City Record from Eli Blachman, sworn to May 11, 2005, in the New York Post from Byron Stevens sworn to March 9, 2004, and in the New York Law Journal by Kimberly Darcy sworn to March 5, 2004, are annexed collectively hereto as Exhibit "C."

7. As described in the affidavit of regularity of Commissioner Stark, pursuant to Admin. Code § 11-406, on or before January 30, 2004 a copy of the Notice of Foreclosure was posted in each of the following conspicuous places:

- a. The public notices bulletin board in the Office of the Commissioner of Finance located in the corridor

- on the fifth floor, Municipal Building, Chambers and Centre Streets, Borough of Manhattan, New York, New York;
- b. On the bulletin board in the office of the City Collector for the Borough of Manhattan, 66 John Street, 2nd floor, New York, New York;
 - c. The Office of the Manhattan Borough President, 1 Centre Street, New York, New York;
 - d. The Supreme Court, New York County, 60 Centre Street, New York, New York;
 - e. The Central Office of the City Collector of the Department of Finance, 25 Elm Place, Brooklyn, New York;
 - f. On the wall in the public interviewer area, Department of Housing Preservation and Development;
 - g. The Civil Court, New York County, 111 Centre Street, New York, New York; and
 - h. City Register's Office, New York County, 66 John Street 13th floor, New York, New York.

Copies of the Affidavits attesting to posting of David Schloss sworn to January 21, 2004 and Jesus M. Martinez sworn to February 3, 2004, are collectively annexed as Exhibit D hereto (collectively "Affs. of Posting").

8. Pursuant to Admin. Code § 11-407, the Notice of Foreclosure fixed April 9, 2004 as the last day for redemption, which date was at least ten weeks from the date of the first publication of the said Notice. Pursuant to Admin. Code § 11-409, the Notice also fixed April 29, 2004 as the last date for the service of answer, which date was at least twenty days from the last date of redemption.

9. Since the filing of the List of Delinquent Taxes with the Clerk of New York County, with respect to certain parcels included in the List of Delinquent Taxes, timely

answers have been interposed and are still to be disposed of, or litigation is pending, or an installment agreement has been entered into for payment of delinquent charges. As a result, these parcels must be severed from this action pursuant to Admin. Code § 11-409.

10. As described in the affidavit of regularity of Commissioner Stark, since the filing of said List of Delinquent Taxes, certain parcels contained in the List of Delinquent Taxes were also redeemed from the time of the initial redemption period up until the preparation of the proposed final judgment by the Corporation Counsel. The Commissioner of the Department of Finance thereafter issued Certificates of Redemption, which were filed by the Corporation Counsel with the Clerk of New York County. As a result, the action must be discontinued with respect to those parcels pursuant to Admin. Code § 11-407.

11. As described in the affidavit of regularity of Commissioner Stark, since the filing of said List of Delinquent Taxes, the Commissioner of Finance also issued Certificates of Withdrawal to the Corporation Counsel for filing with the Clerk of New York County, pursuant to Admin. Code § 11-413, with respect to those parcels as to which this action could not be maintained and had to be discontinued, and the lis pendens pertaining thereto had to be cancelled, because said parcels had been included in error, or were previously condemned or acquired by The City of New York, the State of New York, the United States of America, or other governmental agencies, or by a foreign nation, or are subject to an order in a bankruptcy proceeding, or because the tax liens affecting the parcels have been paid, cancelled, or assigned, or because payment sufficient to liquidate the tax items which rendered the parcels eligible for inclusion in the action were received prior to the filing date of such action but the payments either were not reported in time to remove the parcels from the List of Delinquent Taxes prior to the filing thereof, or were made by uncertified checks which did not clear for payment until after

the filing, or were inadvertently applied to a subsequent charge and thereafter transferred to liquidate the eligible tax items, or because a late redemption payment was made pursuant to Admin. Code §11-407, or because the City withdrew the parcels for enforcement via a tax lien sale pursuant to Title 11, Chapter 3 of the Administrative Code. As a result, the action must be discontinued with respect to those parcels pursuant to Admin. Code § 11-413. A list from Finance's Fairtax Report of all properties severed or removed from this action is annexed hereto as Exhibit E."

12. The City, having thus complied with all of the jurisdictional requirements of Title 11, Chapter 4 of the Administrative Code, is accordingly entitled to a judgment of foreclosure pursuant to § 11-412.1 of the Admin. Code upon all parcels of class one and class two real property, and pursuant to § 11-412 of the Admin. Code upon all parcels of class four real property, located within Sections 3, 6, 7 and 8 on the Manhattan Tax Map, which were not redeemed or withdrawn and as to which timely answers, litigation, or installment agreements are not still pending. A list from Finance's Fairtax Report of all properties to be included in the judgment is annexed hereto as Exhibit "F."

13. I have no knowledge or information and hereby state that it is impossible to ascertain whether any owner of any parcel of real property contained in the List of Delinquent Taxes filed in this in rem action, or any mortgagee thereof, or any person having any claim or lien thereon, or interest therein, is an infant or incompetent, and I further state that I am not able to determine whether any owner of any parcel herein, or other interested party, is in military service.

14. No previous application has been made for the relief sought herein.

15. No one is entitled to notice of this application.

16. The Court is respectfully requested to issue a decision and final judgment as follows:


- a. Finding that the City of New York is the owner and holder of unpaid tax liens affecting the parcels of real property hereinafter described, in the amounts with interest thereon as shown in the List of Delinquent Taxes on file herein;
- b. Directing that each property as to which an answer, litigation or an installment agreement is now pending, be severed from this proceeding and that the City of New York have leave to proceed against said properties in the manner described by law;
- c. Directing that a sale of any of the parcels of property hereinafter described is dispensed with and the Commissioner of Finance of the City of New York is authorized to prepare and execute a deed, or deeds, conveying either to the City of New York, or with respect to the class one and two parcels, to the City or to a third party deemed qualified and designated by the Commissioner of Housing Preservation and Development, full and complete title to said parcels as described herein;
- d. Authorizing the award of possession of any parcel or parcels of class one and class two real property located within Manhattan Tax Map Sections 3, 6, 7 and 8 and described in the List of Delinquent Taxes, and not withdrawn or redeemed and as to which an answer, litigation or an installment agreement is not pending as provided by law and authorizing the Commissioner of Finance to prepare, execute and cause to be recorded a deed, or deeds, conveying either to the City or, with respect to the class one and two parcels, to the City or to a third party deemed qualified and designated by the Commissioner of Housing Preservation and Development full and complete title to such lands;
- e. Decreeing that upon the execution of said deed or deeds to the City of New York or to a third party, the City or the third party shall have possession and shall be seized of an estate in fee simple absolute in such lands, and all persons, including the State of New York, infants, incompetents, absentees and nonresidents who may have had any rights, title, interest, claim, lien or equity of redemption, in or upon such lands shall be barred and forever foreclosed of

all such rights, title, interest, claim, lien or equity of redemption except as otherwise provided by §§ 11-424 and 11-424.1;

- f. Directing that any such conveyance of class one or class two real property to a third party deemed qualified and designated by the Commissioner of Housing Preservation and Development shall be for an existing use;
- g. That unless and until the Commissioner of Finance executes a deed conveying parcels of class one and class two real property pursuant to §§ 11-412.1 and 11-412.2 to the City of New York, or to a third party deemed qualified and designated by the Commissioner of Housing Preservation and Development, the owners of such lands shall continue to have all of the rights, liabilities, responsibilities, duties and obligations of an owner, including, but not limited to, maintaining such lands in compliance with the housing maintenance, building and fire codes and all other applicable laws, however, that upon entry of judgment, HPD or its authorized agent may have access to the class one and class two parcels herein described for the purposes of conducting inspections; and
- h. Directing the Commissioner of Finance to direct the Corporation Counsel to prepare and cause to be entered an order discontinuing the instant in rem foreclosure proceeding and vacating and setting aside the final judgment with respect to any and all parcels that are not conveyed to the City of New York, or with respect to the class one and two parcels, to the City or to a third party

deemed qualified and designated by the Commissioner of Housing Preservation and Development within the statutory eight month period commencing upon entry of the judgment pursuant to Admin. Code § 11-421.1, unless the statutory period is tolled or extended by operation of law.

Dated: New York, New York
June 29, 2005



ANDREA FELLER

Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- x
IN REM TAX FORECLOSURE ACTION NO 46

BOROUGH OF MANHATTAN

**AFFIDAVIT OF
REGULARITY**

SECTIONS 3, 6, 7 AND 8

Index No. 580001/2004

TAX CLASSES 1 AND 2
----- x

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

MARTHA E. STARK, being duly sworn, deposes and says:

1. I am the Commissioner of the Department of Finance of the City of New York ("Finance" or "DOF"). As such, I am familiar with the facts set forth herein. I submit this affidavit to (1) explain the proposed judgment in this in rem tax foreclosure proceeding, and (2) to demonstrate that the City complied with all the necessary statutory pre-requisites for obtaining an in rem foreclosure judgment pursuant to Title 11, Chapter 4 of the Administrative Code of the City of New York ("Admin. Code").

THE PROPOSED JUDGMENT IN THIS IN REM PROCEEDING

2. In the instant foreclosure proceeding, the City seeks a judgment of foreclosure pursuant to Admin. Code § 11-412 and § 11-412.1 upon all parcels of class one, class two and class four real property located within Sections 3, 6, 7 and 8 on the Tax Map of the City of New York for the Borough of Manhattan and subject to this in rem tax foreclosure action.

3. The proposed Judgment authorizes the Commissioner of Finance to deed properties from the delinquent taxpayer either to the City of New York or, with respect to the class one and two parcels, to the City or to a third party deemed qualified and designated by the

Commissioner of Housing Preservation and Development ("HPD"), conveying full and complete title to said parcels. Pursuant to Admin Code § 11-412.1, the City need not take title to class one and two parcels, but can transfer title directly to a third party deemed qualified and designated by the Commissioner of HPD. See also Affidavit of Shaun Donovan, Commissioner of HPD, sworn to on June 29, 2005, annexed hereto as Exhibit "G".

4. Pursuant to law, the judgment provides that the Commissioner of Finance has eight months, commencing from the date the judgment is entered, in which to transfer foreclosed parcels to either the City or to a third party deemed qualified and designated by the Commissioner of HPD. See Admin. Code § 11-412.1(c). For the first four months following the date of entry, owners, mortgagees and other interested parties have the opportunity to redeem their properties. See Admin. Code § 11-4.12.1(d). During the four month mandatory redemption period, and unless or until the Commissioner of Finance executes a deed to either the City or to a third party deemed qualified and designated by the Commissioner of Housing Preservation and Development, existing owners retain possession and ownership of their properties and are responsible for their operation and management. See Admin. Code § 11-412.1(c).

5. Following the expiration of the four-month redemption period, the Commissioner of Finance then has an additional four months to convey the properties to either the City or to third parties deemed qualified and designated by the Commissioner of Housing Preservation and Development. See Admin. Code § 11-412.1(c). If the Commissioner of Finance does not transfer title within the eight month period, the in rem action is discontinued with respect to the parcels not so transferred, and title remains with the owner. In that case, the